

October 28, 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 October 28th, 2019 at 7:00 p.m.

Attendance-

All members of the Common Council were present except Dominick Santini. 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- Mallory Conklin gave the Youth report which included information on the Hudson Valley Honor Flight, the French National Honor Society, the return of the Youth in Government program, the bi-annual Student Wellness & Volunteer Program, thanks to the Cuddebackville Fire Department who spent a day with HBE students and free admission to Senior Citizens to high school sporting events.

She also announced the following upcoming events:

Powder Puff football Game 10/30 @6pm	
Halloween Truck or Treat 10/30 5-6:30 pm ASK parking lot	
ASK Student Picture makeup day 11/6	HBE Student Picture makeup day 10/30
ASK Family Photo Night 11/6 3 7pm	HBE PTA meeting 11/21 3:20pm
ASK PTA meeting 11/21 7pm	HBE Drama Club Spaghetti Dinner 11/8
MS Student Picture makeup day 10/30	MS PTA Meeting 11/20 3pm

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

He also noted that on 11/15 the local Rite-aid will officially become a Walgreens and that they have a vaccination program.

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: 7 ABSENT: 1 (Santini) NAYS: 0 ABSTAIN: 0 CARRIED

Ms. Randazzo gave an over view of the law. There was no public comment and no Council comments. The Mayor noted that a positive response was received from Orange County Planning Department.

Motion was made by Lisa Randazzo and seconded by George Belcher to close the public hearing on Local law #11.

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

A motion was made by Regis Foster and seconded by David Bavoso for an executive session to discuss a contractual matter involving the City's Labor Counsel with an invitation to the City Clerk Treasurer, a contractual matter involving the railroad cars at the turntable location and a contractual matter involving the City and the Outdoor Club involving City recreational property with an invitation to Mike Ward into executive session and as well as to seek advice from legal counsel.

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

Meeting adjourned to executive session at 7:05 pm.
Meeting reconvened from executive session at 7:42pm

Minutes Approved-Motion by George Belcher seconded by David Bavoso to approve the minutes of the October 15th, 2019 regular meeting.

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

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For the Good of the City – Laura Myer announced the winners of the Halloween lighting contest as follows:

Traditional	Scary
56 Hudson Street	8 Gariss Street
114 Franklin Street	14 River Street
11 Francis Street	19 Prospect Street

She also thanked the Salvation Army, Dance Diamonds, Ruth's Face Painting, Burn's Balloons, Port Jervis PD and the local businesses for their involvement in making the Downtown Spooktacular a great success.

Ms. Myer announced the Kris Kindlemart will occur on 12/1 and requested that the City holiday decorations be up and lit for the event.

The next Tourism meeting will be 11/13 at 7pm.

Mr. DeGroat questioned if there was any current litigation regarding Farnum Street. City Counsel indicated that there is not. He also questioned the attorney about his driveway. He indicated that there was a no parking in driveway sign installed on Farnum Street. He also indicated that he believes the City sold the street despite the City claiming otherwise.

Ms. Linda Van Horn questioned why executive session is being used for contract negotiation. The Mayor and legal counsel indicated that negotiations are done privately and only when a contract is ready for a vote will it become public. The Mayor and her debated open meeting laws. Ms. Van Horn also questioned the lack of ethics officer within the City.

Mr. Peter Grech expressed his concerns regarding lies, junk data, manipulation by local policy, alleged reports of unreported crimes, open meeting laws and a lack of details regarding executive session by both the Board of Education and the City.

Business:

Ms. Randazzo- 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 thanked the PBA for their great event, the PBA Ball and congratulated the Macheknie Award winner Mike Ward. She also noted the Spooktacular as a very successful event.

Mr. Randazzo also noted that early voting will take place at the Farnum House on Ulster Place.

Mr. Belcher - 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. Leaves will be collected if bagged. Loose leaves will not be picked up until later in November.

The safe walk to school sidewalk project almost complete. The culvert work will be done the week of November 2nd and will require road closures.

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

Mr. Belcher congratulated everyone on a successful Spooktacular and Halloween parade.

Mr. Santini – absent

Mr. Foster- A motion was made by Regis Foster and seconded by David Bavoso to accept a leave of absence for employee # 399 from her position as part-time police clerk/dispatcher for personal reasons effective immediately.

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

A motion was made by Regis Foster and seconded by George Belcher to hire Colby Walters for the position of part-time police clerk/dispatcher effective October 29th.

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

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The next police committee meeting will be 11/21/2019 at 6pm.

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

He also expressed thanks to everyone on the Spooktacular and Halloween parade.

Mrs. Mann- The IDA did not meet on 10/21/2019 due to a lack of agenda items. The next IDA meeting is scheduled for 11/18/2019 at 6pm.

She gave an update on the progress of construction associated with the section of 100 Pike Plaza to be occupied by the Veterans Administration.

She congratulated the Tourism Board and businesses on the success of the Halloween events. She enjoyed the events thoroughly.

Mrs. Trovei – She noted that the CDA met on 10/23 where they received updates on Section 8 and grant administration.

A motion was made by Kristin Trovei and seconded by David Bavoso to submit a NYSDEC Urban Forestry Grant for maintenance in the amount of \$50,000 with a 25% match in cash or in-kind.

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

The finance committee met on 10/16 and Ms. Trovei reviewed the minutes from that meeting and gave the tentative budget workshop dates as 11/20 and 12/2 at 6:30pm.

A motion was made by Kristin Trovei and seconded by David Bavoso to approve the October Finance minutes.

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

A motion was made by Kristin Trovei and seconded by George Belcher to pay the bills totaling \$1,859,170.30

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

A motion was made by Kristin Trovei and seconded by Lisa Randazzo to approve the renewal of the labor attorney contract for 1/1-12/31/20 with an increase in the rate from \$210@hr to \$215@hr.

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

A motion was made by Kristin Trovei and seconded by David Bavoso to approve the 2019 Budget changes as follows:
WHEREAS, the City of Port Jervis Common Council has recognized that the 2019 Budget requires amendment to reflect actual activity and necessary expenditures

WHEREAS, it is also recognized that these changes as per will result in the following impacts:

General Fund	+ 3,450
Water Fund	- 1,600
Sewer Fund	+30,000

WHEREAS all transactions have been conducted with full knowledge and reporting to the Finance Committee and/or Common Council

It is hereby RESOLVED, that the Common Council of the City of Port Jervis

Authorizes the City Clerk Treasurer to make the budget changes as detailed in an attachment entitled Summary of proposed budget changes.

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

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A motion was made by Kristin Trovei and seconded by David Bavoso to approve the 2019 Tax Anticipation Note as follows:

WHEREAS, the City of Port Jervis acts as an agent for tax collection on behalf of Orange County, and

WHEREAS, the outstanding amounts for the 2019 tax collection period is \$79,781.43 as of 9/30/19, and

WHEREAS, Orange County is desirous of full payment and will reimburse the amount of borrowing done on their behalf through the 2020 tax collection process pursuant to the provisions of Section 209 of the Laws of 1928 of the County of Orange

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Port Jervis approves the issuance of a Tax Anticipation Note to be issued on or about October 31, 2019 with a Maturity date of January 31, 2019 with rates resulting from a competitive bidding process for the purpose of funding tax payment to Orange County.

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

A motion was made by Kristin Trovei and seconded by George Belcher to allow the City Clerk Treasurer and the Deputy Clerk Treasurer to carry over a maximum of 40 hours of unused vacation time to be used by April 30th, 2020 or a payout by 12/31/2019 of said time at their discretion.

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

Ms. Trovei gave a reminder that water bills are due by the end of the month.

She noted that PJ Pride will be sponsoring a Truck or Treat event on 10/30 at ASK rain or shine.

Mr. Siegel – The last meeting of the Fire and emergency management committee was 10/21 and the next meeting is 11/18. There is no Fire secretary correspondence. Mr. Siegel noted that the fire trucks will be out patrolling the streets on Halloween.

Housing Authority met on 10/22 and their next meeting will be 11/26 7pm at Hillside Terrace.

The Landlord association met on 10/10 and their next meeting will be 11/14 at the hall at Goodwill Church. He encouraged landlords to attend as they usually have guest speakers that are informative.

He expressed thanks to Engine 4 for providing assistance to a disabled family with starting their furnace for the winter.

Mr. Siegel reminded people to vote on 11/5 and listed the polling sites in all 4 wards.

He stated that the Halloween parade and events were excellent.

Mr. Bavoso – A motion was made by David Bavoso and seconded by Lisa Randazzo to reserve the following properties for the City as identified by SBL #'s at the Tax Lien sale on 11/19/2019:

18-1-6	18-2-4.2	4-1-19	6-12-1.1	6-4-2.11
8-10-16	9-3-5.11	9-6-8	13-5-30	

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

A motion was made by David Bavoso and seconded by George Belcher to set a Public Hearing for Proposed LL#12 of 2019 to repeal and replace chapter 535 of the city code for 11/25 at 7pm.

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

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to approve Local Law #11 of 2019.

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

For the Good of the City –

Ed DeGroat – Mr. DeGroat asked about the vacant building penalties at the auction. It was noted that as the properties are City owned there are no penalties currently. They will be sold for highest bid. He asked why no penalties were done on 33 Kingston Avenue when it was sold. The City Clerk responded that the property was owned by the City and therefore exempt and when it was sold there was immediately a building permit applied for and issued which again exempted it from the fee. He again questioned why there has been no action on the dumpster enclosures downtown.

Linda Van Horn – she expressed her thanks to the firemen for being out during trick or treating and reminded everyone to vote

Peter Grech – He expressed interest in purchasing the roadway from the City to block access to the Mayor's house. He pondered the sale of properties for one dollar. He then expressed his views on favoritism and anonymity by storytelling about his encounter with a woman at the Fall Foliage Festival.

Mayor Kelly Decker – A motion was made by Regis Foster and seconded by Stanley Siegel at the request of the Mayor to change the date of the 11/11 Council meeting to 11/12 due to the Veterans day holiday.

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

The Mayor thanked everyone for a great Spooktacular event and Halloween Parade.

The Mayor announced that we have been able to secure support for a grant through Senator Metzger's office for \$300,000 to continue paving at Elks-Brox park, paving on Reservoir Avenue to the trails, restoration of the monument at Veterans park and additional sidewalks in the business district.

A motion was made by Regis Foster and seconded by David Bavoso to approve the Rick Drew Holiday Parade for 12/8/2019.

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

He announced an event for Veterans and first Responders Sunday at the 1st Presbyterian Church 11/3 at 10am.

The Mayor gave the recreation report as follows:

1. The 71st Halloween Parade was held this past Saturday October 26 and was a huge success. Approximately 300 well-dressed adults and children participated and were had a great time. Thank you to the Elks Lodge #645 for awarding prizes, Fort Knox Storage for the treats for the kids and Shoprite for donating the cider and donuts! Next year's parade will be held on Halloween day- Saturday October 31, 2020!! Hope to a big crowd again.
2. This Thursday October 31 the Youth Center Rec. room will be open between 12 pm- 4pm. Elementary kids have a half day of school so we will adjust our hours to accommodate. On Monday November 11- Veteran's Day the Youth Center Rec. room will be open 11 am- 3pm. There is no school on November 11.
3. On Saturday November 9, 2019 the Rec. Dept. is holding its annual FALL CLEAN-UP. We need volunteers to help us pick up leaves. All volunteers are asked to meet at Farnum, Park at 10 am. Please bring a rake if you have one and working gloves. Refreshments will be served at the end of the clean-up at 12 pm. Help us keep the parks looking good! Contact the Recreation office to sign-up. We can be reached at 845-858-4045 or email us at recreationdirector@portjervisny.gov.
4. The next Recreation Commission meeting is scheduled for Wednesday November 20, 2019 at 7 pm at the Youth Center.

The Mayor expressed his dismay at the inaccurate reporting in social media and the press regarding redacted documents. The Mayor showed a redacted document that was foiled by Mr. DeGroat where attorney client privileged information and information that was not requested had been redacted. He explained that the reporter Jessica Cohen despite verification with his office published inaccurate information. He explained the process for redaction within the FOIL laws. Again, he expressed his dismay at the false information published.

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The Mayor stated to all present that the City has not sold any street. He noted that he requested a review regarding the placement of the no parking in driveway sign on Farnum Street. It was noted that it was put there at the request of Mr. DeGroat as a courtesy due to a neighbor blocking the driveway. The Mayor however has now been advised by the building official that the approved sub-division for Mr. DeGroat's property only approved one driveway and he physically has two. One on Farnum Street and one on Canal Street. Therefore, one must be removed or he must apply for a driveway permit

A motion was made by Lisa Randazzo and Regis Foster to adjourn to executive session for the purpose of discussing the potential HR contract.

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

It was noted by the Mayor that the cameras and broadcast are being discontinued and will only be resumed should there be a vote on the HR issue after the executive session.

Meeting Adjourned at 8:53 pm

Meeting Reconvened at 9:07pm

Meeting Adjourned – Motion was made by Kristin Trovei, seconded by David Bavoso to adjourn.

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

Meeting Adjourned at 9:07 pm.

Next Meeting is scheduled for 7 pm Tuesday November 12th, 2019.

Robin Waizenegger
City Clerk Treasurer