

July 13, 2020

**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 July 13<sup>th</sup>, 2020 at 6:45 p.m.

**Attendance:** Present were All members of the Common Council except Mayor Kelly Decker and Council member Chandler Campbell.

**Pledge of Allegiance-**

The Acting Mayor Lisa Randazzo opened the meeting with the pledge of allegiance

**Executive Session** – A motion was made by Regis Foster and seconded by Gerald Oney to adjourn to executive session for the purposes of discussion on

1. Pellstar Realty – 291 East Main Street – Request for Extension of Time for Tax Payments
2. Buffy Gail LLC – 183 Jersey Avenue – Request for Tax Penalty Removals
3. Tax Lien Purchase Offers from Equity Trust and BATALAB LLC for properties at 4 Marvin St, 15 Front St, 41-47 East Main St and 22 West St *plus 16 Washington Ave*

plus, other items as necessary for review and legal advice from corporation counsel. An invitation was extended to City Clerk Treasurer Robin Waizenegger to also attend.

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

**Attendance** Councilwoman Chandler Campbell arrived during executive session.

Adjourned to Executive session at 6:47pm

Reconvened from Executive session at 7:24pm by motion of Regis Foster and seconded by Gerald Oney

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

**Public Hearing - Local Law # 3 – Tax Cap Waiver**

A motion was made to re-open the public hearing for Local Law #3 by Regis Foster and seconded by Kristin Trovei.

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

Ms. Randazzo invited public comment. None.

Mrs. Trovei explained that this law was put forth before the pandemic closures. It has been renumbered from Local Law #2 to Local law #3. The public hearing will be kept open as during the finance meeting this week there will be an overview session regarding the actual workings of the tax cap law on Wednesday July 15<sup>th</sup> at 6pm.

A motion was made to continue to hold open the public hearing for future meetings by Timothy Simmons and seconded by Kristin Trovei.

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

**For the Good of the City (Public Comment) –**

**Ms. Barbara Marsalek** – She expressed her concern about the high taxes in the City and the State creating additional emotional stress during these difficult times and requested that the Council take a hard look at the tax cap and do tax reductions. She also requested that the city take action regarding the school taxes. She also cited the emotional stress on the community for people who have lost jobs, had work hours reduced and have had to stay home due to home schooling. She is concerned about the mental health of our community.

She also expressed her concern regarding trash around our City and other cities around the US, children out in the streets at all hours and fireworks being shot off which all add to the mental anguish of our citizens.

**Mr. Ed DeGroat** – Mr. DeGroat stated that he has a lot of issues to address to the new City Attorney. He began by complaining that he believes that the former city attorney was working for the city without proper insurance coverage. He also made a claim that the City sold park property improperly to Cory Puopolo. He also made claims that the Mayor and former city

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attorney gave away Farnum street which is his street as well and has created a problem for him by claiming that he has no driveway.

**Minutes Approved** - A motion was made by Regis Foster and seconded by Kristin Trovei to approve the minutes of the June 22nd, 2020 regular meeting.

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

A motion was made by Gerald Oney and seconded by Regis Foster to approve the minutes of the June 25th, 2020 special meeting.

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

**Business:**

**Mr. Foster** – Mr. Foster reviewed the last police committee meeting noting that Part 1 crimes were down to a historic low and also accidents were down, which is related to the pandemic. He noted that the Police department reviewed several speed studies and is installing additional stop signs at various locations in West End and the fourth ward.

Mr. Foster noted that the department issued its annual award and commendations. He noted that the department has received a NYS grant for more traffic studies, seat belt enforcement and child safety seats. The police department is also doing inventory planning for safety supplies for a possible round 2 of the pandemic. They will be looking at the sergeant vacancy.

The next Police committee meeting will be 7/16/2020 at 6pm.

At the ADA meeting it was noted that the directional pads were corrected on the new sidewalk construction and are ready for final inspection in approximately 4 weeks. Mr. Foster reviewed other items that need to be corrected before final inspection. He also noted that during the pandemic while City hall was closed the new handicapped ramp for front door access has been completed.

The next ADA meeting will be 8/3/2020 at 6:45.

**Mr. Santini** – Mr. Santini noted that the Code Committee has not met since the last Council Meeting and the next Code committee meeting will be 8/5/2020 at 6pm.

**Ms. Campbell** - Ms. Campbell noted that the summer recreation program is in its second week and that there is a requirement that all participants must register to attend. The program runs through August 7th. She stated that West End Beach is open for residents of the Port Jervis School District only and that there is a \$5 parking fee. Ms. Campbell also noted that basketball courts are open and there are concerts scheduled in the parks free of charge. For more info please contact the recreation department at 858-4045 or on Facebook.

**Ms. Mann**- She noted that Tourism has not met during the pandemic but is restarting with a meeting scheduled for 7/14/2020 at 6pm and also similarly the IDA has not met, and their next meeting is scheduled for 7/20/2020 at 6pm.

**Mr. Oney** –

Mr. Oney gave the DPW update as follows:

1. Garbage and Recycling will be on its normal schedule for the next two weeks.
2. Please be advised that the O&R substation project is still ongoing, but the streets are open
3. The City's bulk waste truck is available on Saturday mornings from 7:15am until 11:30 am. Dump passes must be purchased at the City Clerk's office located at 20 Hammond St. in Port Jervis from 8am to 5pm M-F.
4. Yard debris is being picked up on Monday, with overflow on Tuesday.
5. The DPW is currently doing paving preparation on Kingston Avenue and Hamilton Street. Please be cautious driving through these areas.

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6. The sewer relining project is on-going, and you will be notified as they come into your neighborhood. Over 2000 feet has been done but there is a total of 33 miles of sewer pipe to be done over the course of many years as we can afford it. The re-lining is a major cost savings versus pipe replacement.
7. The handicapped ramp in the front of City Hall was done by DPW staff at approximately half the cost of having an outside contractor and they did a great job.
8. The next DPW meeting will take place on Monday August 3rd @ 6pm in the Council Chambers.

**Mrs. Trovei** – She noted that the CDA is continuing to meet remotely and the public can join the Zoom meeting. Their next meeting will be on July 22<sup>nd</sup> at 7pm.

A motion was made by Kristin Trovei and seconded by Gerald Oney to schedule a public hearing for 7/27/2020 at 7:16pm to review the Status Report on City of Port Jervis Wastewater Improvement Project the 2018 NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) Project Number 938PR138-18 known locally as the Trenchless Sewer Project

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

A motion was made by Kristin Trovei and seconded by Regis Foster to accept the Certificate of Adjusted Base Proportions as rendered to the Council by the City Assessor.

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

She noted that the next meeting of the Finance Committee will be July 15<sup>th</sup>, 2020 and encouraged everyone to attend to gain an education on the tax cap while social distancing and wearing your masks.

A motion was made by Kristin Trovei and seconded by Gerald Oney to pay the bills totaling \$611,269.69.

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

A motion was made by Kristin Trovei and seconded by Stanley Siegel to sell the tax liens held on 15 Front Street, 22 West Street and 16 Washington Street to Equity Trust at the July redemption amounts.

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

A motion was made by Kristin Trovei and seconded by Stanley Siegel to sell the tax lien held on 41-47 East Main Street to BATALAB LLC at the July redemption amounts.

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

**Mr. Simmons** – Mr. Simmons indicated that the Planning Board met on 6/16/2020 via Zoom to review an application for 291 East Main Street which was approved for the location of a new Dunkin Donuts where previously Mad Dog Liquor was located.

The next meeting of the Planning Board will be 7/21/2020 at 7pm

Mr. Simmons indicated that the Zoning board met on 7/7/2020. There was several public hearings with an approval of an area variance at 10 Culvert for a garage, an approval of a change in setback at 102 North Orange for a pool installation and a deferred decision on 31 Fowler street for use as a residential property and to have Mr. Fink do a review of the configuration of the CDBG boundary lines.

The next meeting of the Zoning Board will be 8/3/2020 at 7pm

**Mr. Siegel** – He noted that there are reports of sound problems with the meeting's broadcast.

He encouraged people to attend the finance meeting to get information on the tax cap and city finances.

The next meeting of the fire emergency committee will be 7/20/2020 at 6:30 with social distancing and masks in the Council Meeting Room.

Mr. Siegel indicated that he will post the next meeting date of the Housing Authority.

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He expressed thanks for the placement of the stop signs in the fourth ward and for the investigation into the recent flooding situation on East Main Street. He also expressed condolences on the murder of a former resident in California.

Mr. Siegel also stated that he is concerned about Mr. DeGroat's lack of response on his driveway from the City engineer.

**Ms. Randazzo** – She reviewed a proposal made to the City from Operation Toy Train, a 501c3 organization, to work with the existing organization and the City of Port Jervis to set up a new train museum. They would utilize train cars they own and those that the City has to house the museum and attractions. They are estimating that within 5 years this could attract additional tourism. She asked if the Council would be interested in moving forward with a start date of approximately August 2020 with them bringing train cars, they are acquiring, to store them and begin selling or renovating the cars.

Mr. Simmons questioned who owns the cars presently. Ms. Randazzo indicated that the cars of OTT and the City are both tied up in court proceedings. Mr. Siegel indicated that the Mayor has also been in negotiation with the current owners of the engine and cars on our property.

Ms. Mann, Mr. Simmons and Mr. Siegel all questioned the ability to house this many cars, insurance information and what legal actions are necessary.

Mrs. Trovei stated that at present the Council seems not to be ready to move on this without additional information and questioned Mr. Frank as to his knowledge on this topic.

Mr. Frank asked if there has been any contact with this entity since the pandemic?

As it was indicated that there had been no contact, Mr. Frank will contact the organization to re-open discussions.

Several council members concurred with the action to get more answers. Mr. Frank also indicated that he will ask for a cost analysis and business plan from their attorney as well as request that they do a full presentation to the Council.

Ms. Randazzo stated that Mr. Frank did a legal review of the City's Recreation Park Rental Application. He wanted to know what instances there are that we would not require a certificate of insurance. After some discussion it was noted that as most events are either City events or are events that supply certificates, it was agreed that Mr. Frank will suggest modifying the application to require a certificate of insurance but will talk with Recreation Director John Faggione first as it is not an event application but the park pavilion rental application.

Ms. Randazzo indicated that an email had been sent regarding 39 Church Street Unit 21 with respect to cleaning the property for \$8,604.41 from Serv Pro.

A motion was made by Stanley Siegel and seconded by Kristin Trovei to approve the expenditure.

As discussion, Mr. Oney indicated that the DPW will have to provide the dump truck and haul away the debris in addition to the Serv Pro cleaning. Mrs. Waizenegger provided a history where after the City took title to the property we attempted to do life safety corrections during the process of eviction during which the former occupants were uncooperative and then when the pandemic hit we were not only prohibited from proceeding with the eviction but were also informed by the occupants that they all had corona virus and we had to stay away. Recently the occupant called and stated they were leaving and moving to Florida and dropped off the keys the next day. Upon inspection by the DPW it was determined that the unit is in such a state of terrible filth and disarray that it is beyond the ability of our DPW to clean it out safely and secure the premises.

It was noted by all present that this action should be taken for the sake of the neighbors and vote was called.

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

Ms. Randazzo indicated that she has received notice that the Orange County Boces Youth Summer Program is going to take place and they will be working with the Outdoor Club of Port Jervis working on clearing trails and in the parks. All supervision is provided by BOCES and the Outdoor Club, with insurance coverage provided by BOCES. The program will begin on July 27<sup>th</sup> and she reviewed a list of activities they will be doing. All of the program is at no cost to the City.

Mr. Simmons asked if these are local children?

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Ms. Randazzo said many of them are local and all are from Orange County.

Ms. Randazzo gave kudos to our DPW crews that are working on the sewer re-lining project as she had the opportunity to observe the operation in- person.

Ms. Randazzo also noted that the Dial-A-Bus is back up and operating now that appropriate modifications have been made and protective measures put in place. She noted the Dial-A-Bus number as 856-7999.

Ms. Randazzo also expressed her condolences to Kate Bronson-Gershman on the tragic loss of her husband and noted that there will be a luminary tribute tomorrow evening.

**For the Good of the City ( Public Comment) –**

**Mr. Ed DeGroat** – Mr. DeGroat stated that he wanted to get back to his driveway issue again. He stated that he has refused to apply for curb cut which the former city attorney wanted him to do because his driveway already exists. He then asked the City Attorney if he knew if the City of Port Jervis had any street that have any deeds or were dedicated?

Mr. Frank informed Mr. DeGroat that this is public comment and not a forum where it is appropriate for him to answer questions. He informed Ed that he would entertain his questions after the meeting or at another more appropriate time with an appointment. Mr. DeGroat acknowledged same.

Mr. DeGroat then proceeded to detail some of the history with respect to Farnum Street and continued to assert that the Mayor and former City attorney gave away his street.

**Meeting Adjourned** – A motion was made by Kristin Trovei and seconded by Maria Mann to adjourn.

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

Meeting Adjourned at 8:40 pm.

Next Meeting is scheduled for 6:30 pm executive session and 7:15 pm general business session on Monday July 27th, 2020.

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Robin Waizenegger  
City Clerk Treasurer