

August 10, 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 August 10, 2020 at 6:45 p.m.

Attendance: Present were All members of the Common Council except Dominick Santini.

Pledge of Allegiance-

The Mayor Kelly Decker opened the meeting with the pledge of allegiance

Executive Session – A motion was made by Regis Foster and seconded by Lisa Randazzo to adjourn to executive session for the purposes of discussion on:

- Promenade Offer/Request -105h
- Offer of purchase: 39 Church St. Unit #21 – 105.h
- Police Personnel Matter – 105f

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(Santini) NAYS: 0 ABSTAIN: 0 CARRIED

Adjourned to Executive session at 6:47pm

Reconvened from Executive session at 7:21pm by motion of Lisa Randazzo and seconded by Gerald Oney

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

The Mayor apologized that they reconvened a bit late.

Presentation – Port Jervis Transportation Museum - Carolyn Hoffman from Operation Toy Train, a 501c3 Non-Profit organization that uses antique trains to collect for Toys for Tots, presented to the Council their idea for a joint venture with the City to run a railroad car museum. The organization is looking for a home for the railroad cars they own. They would like to use the turntable and the surrounding rail lines and property to house railroad cars which when refurbished would act as a museum. Their organization presently owns 6 cars and is currently securing a group of railroad cars that are abandoned in Passaic, New Jersey and want to relocate them to Port Jervis and also work with Port Jervis to obtain ownership of the abandoned cars on our property. She noted particularly Erie railroad cars for their historic value.

She believes that this could be a valuable tourist attraction for the City and unique from the perspective of possibly having a working turntable with significant historic value.

They then would want to solicit funds to do rehab and restoration work through a new charitable organization and work with the Tri-State railroad museum to establish the site as a museum and secure volunteers to run it.

The organization sees this as a joint effort in that they will need assistance with rehabbing the area and moving forward would want the City to do grounds maintenance and assist with equipment maintenance.

The Mayor indicated that the cars present have been abandoned and will need to proceed against the owner with actions over and above what has been done already. He also questioned if the cars present are usable. Ms. Hoffman detailed the potential uses of all of the cars.

Mr. Siegel questioned the usable nature of the tracks and the turntable. Ms. Hoffman indicated that there are currently a usable set of tracks that need to be dug out and more tracks that could be re-installed. She also is aware that the turntable still moves.

Corporation Counsel, Will Franks, asked if Operation Toy Train has sent any financial information to justify their ability to maintain and rehab the railroad cars. Ms. Hoffman indicated she would send financial information via email. He also questioned that ability to do necessary winter storage. Ms. Hoffman indicated that right now the plans are fluid and she would

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hope to work out those issues as it is developed. Mr. Franks also questioned the coordination with other railroad organizations regarding the volunteer labor. Ms. Hoffman indicated that all the organizations have been receptive.

The Mayor at this time indicated that it would take two motions to move this forward. The first being to authorize Corporation Counsel to contact the owner of the cars currently in Port Jervis regarding their abandonment and second to allow Corporation Counsel to move forth with full faith negotiations as necessary with Operation Toy Train.

Mr. Seigel then questioned if Mr. Bill Schill has had any direct involvement. Ms. Hoffman indicated he has not been involved. Mr. Siegel indicated that Mr. Schill could be a good resource moving forward. Mr. Siegel also questioned who would be responsible for the brake inspections. Ms. Hoffman indicated that only the moving cars require inspections and that they have in the past had all services and maintenance done through donations or volunteer sources.

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to have corporation counsel move forward with a letter of abandonment and open further discussions with Operation Toy Train by doing appropriate due diligence.

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

Presentation - Farnum Community and Evacuation Center – The Mayor introduced the presentation by giving history on the origin of the project indicated, that the design has been done using a SAM Grant with the goal of preserving the Farnum House while expanding the space to accommodate various needs to develop a shovel ready project. He indicated that as of this point in time there are no committed funds to build this project. Mayor Decker indicated that he believes we presently could obtain approximately 66% funding through the USDA, but we still need to secure additional funds before proceeding. He also indicated that he would like feedback from the public.

Jason Anderson began a presentation reviewing the plans developed to have a center that can be used as a senior center, a youth recreation center and an emergency evacuation center.

Mr. Anderson then proceeded to review in detail the plans presented to the Council which will be posted on the City website for public review. He detailed all of the working plans and purposes of the renovation of the Farnum building and the large building addition. He demonstrated throughout the presentation the design purposes and functionality of each space.

Mr. Simmons questioned what would happen with the existing recreation center once this was in place. The Mayor indicated that the existing building would then be sold.

Mr. Anderson then detailed the type of construction to be used to ensure durability. . He also demonstrated multiple views from an aesthetic perspective. He detailed the use of the land that remains for parking and a remaining playground area. Mr. Faggione explained that the undersized and underutilized baseball area will be eliminated and the gazebo near the firehouse will be removed, with the 3 concerts moved to the larger stage venue at Riverside Park.

The Mayor indicated that the name on the drawings is Frank Lehn, the first recreation director for the City as a possible honoree for the dedication of the building.

The Mayor indicated that what the Council wants now is feedback on the plans before the Council finalizes the plans to move forward to seek funding for the project.

It was noted that the approximate cost of this project is 8 million dollars, which has to be secured.

The Mayor stated that the goal is to find 100% funding for this project, and we need this project shovel ready in order to be considered as an economic stimulus project next year. Of course, donations would also be welcomed. Again, the Mayor encouraged everyone to send in their comments through the city website.

For the Good of the City (Public Comment) –

Mr. James Blanton – He presented compliments on the presentations and stated that both projects looked great. He stated that while these seem big that sometimes it pays to think big and strategically so you are ready for when opportunities come your way, the community will benefit.

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He then expressed his concern regarding the downtown hotel project which he feels could benefit Port Jervis greatly. Mr. Blanton asks that we work as a community and compromise to work together and support the project with as much reason and clear concise information as possible.

Minutes Approved - A motion was made by Regis Foster and seconded by Stanley Siegel to approve the minutes of the July 27th, 2020 regular meeting.

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

Executive Session Material –

A motion was made by Regis Foster and seconded by Kristin Trovei to promote Nicole McGowan to the rank of sergeant effective 9/4/2020.

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

Business:

Mr. Foster – Mr. Foster reviewed the executive order from the Governor’s office which requires each police agency to develop a plan to reinvent practices and policies based on community involvement. While there are no specific guidelines, it is stated that there must be public input into the plan. Therefore, the police department will be developing a plan to have meetings to gain public input. The plan will be continued to be developed by the department and the police committee.

The next meeting of the Police Committee will be in September due to scheduled vacations.

ADA met on 8/3 where it was noted that there have been no new AD complaints and that the handicapped ramp at city hall is complete and the paving projects are complete with respect to crossing ramps. Any remaining funds will be used for city hall signage and the website. He noted that the Gazette is working on an article for the 30th anniversary of the ADA.

The next ADA meeting will be 11/2/2020 at 7pm.

Regis Foster reported that in the 1st ward there is an ongoing odor issue from a sewer treatment facility across the river in PA. He encouraged residents to call the PA DEP at 570-826-2511 every time they smell the sewer odor and say yes, it is an emergency.

The Mayor stated that you should also call him or Mr. Foster so that they can then do follow up.

Mr. Santini – Mr. Santini was absent, but Mayor Decker noted that the Code meeting was cancelled at the last minute with apologies and the ATV law review is postponed until September

Ms. Campbell - Ms. Campbell gave the recreation update as follows:

West End Beach remains closed. We hope to reopen the beach this Wednesday, August 12. The beach was closed due to the damage it sustained during last week’s storm and also while we wait for our water test results to return. The beach, when it reopens, will be open 7 days a week until it closes for the summer on August 20.

The Youth Center is open 11 am -2:30 pm Monday- Friday until September 2. We have a limited capacity at the center with 20 kids max at a time. Kids must be registered to attend. To register contact the Recreation office.

Fireworks Show from Point Peter will be held Friday September 4, 2020. Fireworks will go off right after sunset- approximately 7:30-7:45 pm.

For more information contact the Recreation office at 845-858-4045 or email us at recreationdirector@portjervisny.gov

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The next Recreation Commission meeting is scheduled for Wednesday August 26, 2020 at 4:30 pm at the Youth Center.

Ms. Mann – The IDA has not met since our last council meeting. The next meeting of the IDA will be 8/17/2020 at 6pm
Tourism has also not met since our last council meeting and their next meeting will be 8/12/2020 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. 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.
3. Yard debris is being picked up on Monday, with overflow on Tuesday.
4. The sewer relining project is on-going, and you will be notified as they come into your neighborhood.
5. The DPW is currently doing paving preparation on East Main Street from Kingston Avenue to the Middle School. Please be cautious driving through these areas.
6. Water Tank Replacement is scheduled for next month.
7. A Water valve replacement has been postponed to late fall as they must shut off water to the affected area for approximately 6-8 hours which they did not want to do during the recent heat waves while consumption is at its height of 1-1.2 million gallons per day as opposed to 600k-700k per day. They will activate the blue line for fire protection.
8. The traffic light at Hamilton Street has been completed.
9. The committee is looking at the cost of garbage collection and increased fees.
10. The next DPW meeting will take place on Tuesday, September 8th due to Labor Day @ 6pm in the Council Chambers

Mrs. Trovei – The next meeting of the CDA will be 8/26/2020 and will be conducted remotely on Zoom.

The next meeting of the finance committee will be Wednesday, August 19th at 6pm.

A motion was made by Kristin Trovei and seconded by Gerald Oney to pay the bills totaling \$664,428.83.

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

Mr. Simmons – Mr. Simmons indicated that the Planning Board met on 7/21/2020 where they reviewed plans for a mixed use as B&B, retail and café at 191-192 Jersey Avenue, the old TSE building. A public hearing was set for this proposal for 8/18/2020 at 7pm.

Mr. Simmons indicated that the Zoning board met on 8/4/2020. After a review by Mr. Fink on the request of 31 Fowler Street for use as a residential property, the application was granted.

The next meeting of the Zoning Board will be 8/18/2020 at 7pm

The next meeting of the Planning Board will be 9/1/2020 at 7pm

Mr. Siegel – He noted that Fire and Emergency Management met on 7/20/2020 and their next meeting is 8/17/2020 at 6:30 and that the chief has requested an executive session.

PJ Housing Authority is scheduled to meet on 8/25 at Hillside Terrace.

Mr. Siegel wished a happy 75th birthday to Barry Longwell.

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:

Howard Wheat Engine Company No. 4 requests the following member be removed from the rolls for the reason stated:

Morgan R. Mosher, Jr. - voluntary resignation

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

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A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Howard Wheat Engine Company No. 4 requests the following member be removed from the rolls for the reason stated:
Jonathan R. Waldron Voluntary resignation- moved from area

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Neversink Engine Company No. 1 requests the following be approved for Active (Junior)membership: **David Daniel Moore**

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Excelsior Engine Company No. 5 requests the following By-Law change be approved: **“Any member of the Port Jervis Fire Department with 25 years of service or more does not have to pay dues as a member of Engine 5 and any member of less than 25 years of service for the Port Jervis Fire Department your company dues for Engine 5 will be \$2 a month”.**

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows: Maghogomock Hook & Ladder Company No. 1 requests the following: **Permission to attend a parade in Middletown on 10/10/2020**

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

Ms. Randazzo – No report

For the Good of the City (Public Comment) –

Ed DeGroat – Mr. DeGroat asked for details on the current status of potential action on the administrative leave of the Building Official Mr. David Rivera.

The Mayor responded that it is a personnel matter and that he could not comment. At present there is no change of status.

Mayor Kelly Decker – The mayor requested a motion to allow a temporary license for the use of parks by businesses that cannot operate in indoor facility. A motion was made by Lisa Randazzo and seconded by Kristin Trovei.

The Corporation Counsel, Will Frank, indicated that as it is a use of designated park land the licenses are issued temporarily as non-exclusive and revocable by the City Council at any time due to the pandemic.

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

The Mayor states that a Town of Deerpark has sent a letter to the County regarding displeasure of the County’s closure of the Port Jervis DMV and wants both towns to send letters to the County. He followed up with the Town of Deerpark Supervisor to coordinate the passage of resolutions with similar language which should be available at the next meeting.

Councilman Siegel wanted it known that the DMV currently holds a lease through November 15th in City Hall and that closure was done solely at the discretion of the County not the City. He also had to register a vehicle recently and while the DMV staff was helpful over the phone it still took him 3 weeks to get the transaction completed by mail which is too long.

The Mayor also wanted to inform the community that the County currently holds a lease on space in the Sarfati building which would be a larger space, have more accessible parking and suggests they re-open there as soon as possible.

The Mayor announced the resignation of Kathy Potter from the Recreation Commission and appointed Terri Costantino to fill the vacancy.

The mayor reviewed a request by Kathleen Conboy, our successful homestead property owner, who has requested a release of the deed restrictions so that she can finance the property to do a roof and more improvements.

A motion was made by Stanley Siegel and seconded by Lisa Randazzo to release all of the restrictions.

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Corporation Counsel suggested that the program be revisited for amendment for the future and to add to the motion the authority for Counsel to prepare any or all paperwork and or deeds necessary to accomplish the release of restrictions. Stanley Siegel and Lisa Randazzo both agreed to amend their resolution.

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

The Mayor noted that the city was requested to step in on a matter where a tree fell on their building from a private property and while the City recognizes the good work of the organization, the City cannot step in. The mayor asked the city attorney to explain.

Mr. Will Frank explained that as the fallen tree does not present any eminent danger to the public and its only damage and consequence is the private property it is not a matter within the public domain. This ultimately is being handled between the private property owners' insurance companies and not a matter that we can respond to.

The Mayor indicated that there are 2 contract renewals for signature and requested that Mrs. Waizenegger explain the contracts. Mrs. Waizenegger indicated that these two contracts are for the reimbursement of maintenance costs associated with the space occupied by the NYS Unified Court System for the years 2019-2020 and 2020-2021. The reimbursement is approximately \$33,000 and \$34,000 respectively.

A motion was made by Regis Foster and seconded by Timothy Simmons to allow the Mayor to execute the contract renewals.

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

The Mayor indicated that the Governor has extended permission through his emergency order for public meeting to be held electronically aka Zoom through September 4th, but as of now the City is conducting its meetings in-person until such time as we would need to do otherwise.

Meeting Adjourned – A motion was made by Lisa Randazzo and seconded by Regis Foster to adjourn.

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

Meeting adjourned at 8:46 pm.

Next Meeting

is scheduled for 6:30 pm executive session and 7:15 pm general business session on Monday August 24, 2020.

Robin Waizenegger
City Clerk Treasurer