

October 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 Tuesday October 13th, 2020 at 6:30 p.m.

Attendance: Present were All members of the Common Council except Dominic Santini and Chandler Campbell. Corporation Counsel William Frank, Deputy Counsel Stephanie Tunic, City Clerk Treasurer Robin Waizenegger and Deputy City Clerk Treasurer Bobbie Jo Muller were also present.

Pledge of Allegiance-

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

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

1. **1- Personnel matter** - 105.f
2. **NY & Greenwood Lake Railway (Contractual matter)- 105.h**

plus, other items as necessary for review and legal advice from corporation counsel. An invitation to executive session was extended to Mr. Steven Banks for the purpose of legal review with respect to the personnel matter.

AYE: 7 ABSENT: 2 (Campbell, Santini) NAYS: 0 ABSTAIN: 0 CARRIED

Adjourned to Executive session at 6:32pm

Councilwoman Chandler Campbell arrived during Executive Session

Reconvened from Executive session at 7:32 pm by motion of Lisa Randazzo and seconded by Regis Foster

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

The Mayor deferred to the Council for the Public Hearing.

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to open the public hearing on proposed Local Law #3 of 2020 for changes to Section 505 Article 9.

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

No member of the public spoke. It was noted that public notices were posted and published as required.

The Mayor and Deputy City Counsel, Stephanie Tunic, noted that this a change to add motorized (gas operated) bicycles as prohibited vehicles on city streets and in city parks to the law. Counsel, William Franks, verified that this type of bicycle is not registered or licensed by the State of New York.

Mr. Siegel inquired if this applies to motorized scooters. Counsel advised that as they are electric powered not gas operated, that they are specifically allowable under NYS state law.

Mr. Simmons inquired as to the enforcement after the law is passed. The Mayor clarified that enforcement is in the hands of the police and they generally give warnings before issuing violations when a law is new at their discretion.

A motion was made to close the public hearing by Lisa Randazzo and seconded by Stanley Siegel.

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

For the Good of the City (Public Comment) –

Mr. George Belcher gave as prepared speech as follows:

My name is George Belcher and I live in the 2nd Ward.

October 13, 2020

I am here to make one last request to the Council to approve the Tax Cap Override Law before you approve a budget. By not voting for the tax cap waiver the City will lose any tax growth with the new hotel and the annexation as the tax cap limits growth to only the cap (approximately 1.5% this year).

I hope that the 4 members of the council who voted No understand the tax cap.

I hope they understand that even with the override in place they can vote on whatever tax increase or decrease they want.

I hope that they understand that WITHOUT the tax cap override we lose revenue from growth from the annexation along with the potential of a new youth center and a new hotel downtown. Also new properties, or reassessed properties which would ultimately decrease taxes when we expand the tax base.

When fully implemented the annexation land and building assessment would be \$23,465,387.50 with a municipal tax of \$1.096,393.00. When shared equally with the Town of Deerpark each yearly tax base would increase by \$548,196.50. The City of Port Jervis would also get full water and sewer tax as well as hotel tax. The new hotel will also create a substantial increase in our tax base.

I can understand your constituents concerns about rising taxes, but I do not think they understand about also cutting the amount of income as well.

It is like cutting off your nose to spite your face.

Ms. Barbara Marselak – She spoke regarding her support for a tax cap due to her concerns about the economic effect the pandemic has had on household incomes in Port Jervis. Ms. Marselak is concerned about any additional stressors added due to the pandemic. She also noted that the recent changes in the train schedules have put stress on people getting to and from work. She expressed her desire for hiring freezes, reduced hours and the contribution back by the Council of their wages. She also noted what she perceives as a rise in criminal activity in Port Jervis.

Mr. Peter Grech – Mr. Peter Grech spoke on the importance of wearing masks and following public health directives. He noted the local community leaders are acting as good examples this evening to the public by wearing their masks.

Minutes Approved - A motion was made by Regis Foster and seconded by Gerald Oney to approve the minutes of the September 28, 2020 regular meeting.

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

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to approve the minutes of the October 1, 2020 special meeting.

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

Executive Session Material: None

Business:

Mr. Foster – A motion was made by Regis Foster and seconded by Kristin Trovei to approve the MOA for the use of part-time police officers to provide police services to the Port Jervis City School District on a contractual basis.

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

Mr. Foster noted that the police department has increased foot patrols recently and that October is Domestic Violence Awareness month.

He announced that Officer Kievit recently graduated from an advanced course on Drug Recognition becoming 1 of the registered 334 experts in drug recognition in NYS. He expressed congratulations to him.

He noted that the October police committee meeting will be cancelled due to the Ward meetings being conducted on police reform. The next police committee meeting will be 11/19 at 6pm.

There was no report from the ADA committee and their next meeting will be 11/2/2020 at 7pm.

October 13, 2020

Mr. Santini – As Mr. Santini was absent Lisa Randazzo reported that they reviewed the proposed local law, the planning board request regarding submission requirements with respect to the number of copies of plans, dustless surface language in the code, possible zoning changes within the CBD district and a short discussion on shopping carts.

The next Code meeting will be 11/4/2020 at 6pm.

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

1. The Youth Center Recreation Room is open Monday-Friday 3:00 pm- 6:00 pm. The Rec Room is open for ALL students- whether you are in school or home studying remote. This will remain in effect until the school district enters phase 4 of its reopening plan. When phase 4 begins we will adjust our Youth Center schedule accordingly.
2. The Recreation Commission has decided to cancel the Halloween Parade on October 24 due to the COVID-19 guidelines and restrictions set forth by New York State. In place of the parade the Recreation Commission and Elks Club #645 will sponsor a Halloween Costume Dance Party at Riverside Park on October 24, 2020 from 3:00 pm-4:30 pm. Kids and adults are encouraged to come down to Riverside Park- in costume and dance, play Halloween Bingo and take home some Halloween candy- compliments of the Elks Club. DJ Rock-A-Fuller will be providing the entertainment! This event will follow COVID-19 guidelines and restrictions!
3. The Recreation Department will be sponsoring a Little Chefs at PJ Rec cooking class this FALL. Classes will start on Saturday October 24 and will be held at the Youth Center. Class time is 10:00 am- 12:00 pm. This is a 5-week class for students ages 10-13. Due to the COVID-19 restrictions class size will be only 8 students. Cost for this class is \$50. Registration will take place at the Youth Center this Wednesday October 14 between 5 pm-7 pm.
4. The Recreation Department is holding a FALL cleanup on Saturday November 14, 2020. Volunteers are needed to help us cleanup leaves before winter settles in. We are meeting at Farnum Park at 10:00 am and will also be cleaning up Veterans Park and Church St. Park. This is a great community service event for students! The cleanup will be over by 11:30 am and light refreshments will be served at Farnum Park. All social distancing guidelines will be followed. Bring some work gloves, a rake and of course don't forget your mask!
5. The next Recreation Commission meeting is scheduled for Tuesday October 20, 2020 at 6:00 pm at the Youth Center.
6. For information on the Youth Center or any Recreation program or event contact us at 845-858-4045 or email us at recreationdirector@portjervisny.gov.

A motion was made by Chandler Campbell and seconded by Gerald Oney to hire Kathleen Potter as a part-time temporary recreation specialist at the budgeted salary level for the Little Chef program.

Under discussion the Mayor explained that this salary is offset by the tuition charged which covers food expenses as well.

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

Ms. Mann – Tourism is having a Halloween lighting contest and you can register to enter through the Mayor's office by October 21st and judging will be done the night of Thursday October 22nd.

The next Tourism meeting will be 11/11/2020.

The IDA meeting on 9/17 was cancelled due to lack of business. The next meeting of the IDA will be 10/19 at 6pm.

Mr. Oney – Mr. Oney gave the DPW update as follows:

1. Garbage and Recycling will be one day later than its normal schedule this week due to the Columbus Day holiday.
2. Sewer Relining is going very well, and they have done a stretch of 16 and 18inch lines which are major trunk lines in the area of Hammond and Owen Street. They will continue in the area of Hammond Street and Jersey Avenue.
3. The next DPW meeting will take place on Monday, November 2nd @ 6pm in the Council Chambers

October 13, 2020

Mr. Siegel asked if residents will have continued times where they cannot use their water. Mr. Oney stated that that the City bypasses the work being done for sewer discharge but a minimal waterflow is desirable while work is going on and that current work will be completed tonight, probably before the end of this meeting.

Mrs. Trovei – The CDA has not met since the last council meeting and will be meeting remotely on 10/28.

The finance committee has also not met since the last council meeting and their meeting will be on 10/21 at 6pm.

A motion was made by Kristin Trovei and seconded by Lisa Randazzo to pay the bills totaling \$362,057.73.

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

A motion was made by Kristin Trovei and seconded by Gerald Oney 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 2022.

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

A motion was made by Kristin Trovei and seconded by Lisa Randazzo 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 2020 tax collection period is \$80,783.89 as of 9/30/20, 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 30, 2020 with a Maturity date of February 1, 2021 with rates resulting from a competitive bidding process for the purpose of funding tax payment to Orange County.

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

A motion was made by Kristin Trovei and seconded by Regis Foster to use \$8000 of Capital Note 2020 funding designated for other police equipment for laptops to be installed in the new police cars.

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

Mrs. Trovei noted that PJ Pride and the Port Jervis Police Department will be conducting pop-up Narcan trainings over the next couple months and they will be distributing Mental Health bags to Port Jervis High School students. She also announced that

October 13, 2020

there will be a Trunk or Treat event on 10/30 at 5:00-6:30pm in the ASK parking lot and for more information call 845-754-1111 or substancetaskforce@gmail.com or contact Kristin.

She announced that the annual Touch a Truck event has been rescheduled to May 21st, 2021.

The third ward meeting will be 10/19 at 7pm at Neversink Engine Company 25-27 Orange Street.

Mr. Simmons – He announced that on Thursday 10/15 there will be a neighborhood watch walk through the neighborhood beginning at 6:30 pm beginning at Hose 4 firehouse followed by a 4th ward meeting at 7pm on police reform.

He noted that the Zoning Board has not met, and their next meeting will be 11/3 at 7pm if there are any applications received.

Mr. Simmons indicated that the Planning Board has also not met since the last Council meeting. The next meeting of the planning board will be 10/20 at 7pm.

Mr. Siegel – He noted that Fire and Emergency Management was cancelled on 9/21 and their next meeting is 10/19 at 6:30pm.

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Maghogomock Hook & Ladder Company No. 1 requests permission to host the following event
Roast Beef Take Out - 01/09/2021.

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Port Jervis Fire Police requests the following By-Law change be approved:

The current reading is "The Regular meeting of this Squad shall be held at the 141 West Main Street station on the last Tuesday of each month at seven-thirty (7:30 p.m.) o'clock. No meetings will be held during the months of July and August."

The requested change is "The Regular meeting of this Squad shall be held at the 141 West Main Street station on the second Wednesday of each month at seven (7:00 p.m.) o'clock. No meetings will be held during the months of July and August."

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons as follows:
Howard Wheat Engine Company No. 4 requests approval of the following election:

Jennifer L. Snyder - Second Lieutenant

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

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, III. - voluntary resignation

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

A motion was made by Stanley Siegel and seconded by Timothy Simmons with regrets as follows:
Maghogomock Hook & Ladder Company No. 1 requests the following member be removed from the rolls for the reason stated:
David W. Case - deceased 09/17/2020

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

He noted that PJ Housing Authority's next meeting is 10/27 at Hillside Terrace. Mr. Siegel also expressed his condolences to Housing Manager Linda Drew on the loss of her sister.

He also reminded veterans, seniors and others to get their flu shots. Veterans can get their shots at the Port Jervis VA Clinic at 100 Pike Street Plaza.

October 13, 2020

Mr. Siegel noted that the Tri-State Interfaith Council is resuming meetings on Wednesday 10/14/2020 and you can join them virtually. The warming station needs volunteers for the upcoming winter season. You can contact Tamara.Chant@gmail.com or call 570-618-1208 to sign up to volunteer.

Ms. Randazzo – A motion was made by Lisa Randazzo and seconded by Kristin Trovei to approve an MOA for extension of the Superior Officers collective bargaining agreement for a one year term with the same terms as the expiring agreement on 12/31/2020 for the term 1/1/2021 to 12/31/2021 and to allow the Mayor to executed same after ratification by the Chief of Police and his Lieutenant.

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

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to adopt proposed Local Law #3 of 2020.

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

For the Good of the City (Public Comment)

Barbara Marselak – She expressed her concerns as a resident and business owner that women should never be disrespected and that she stands with all women who speak out about and form of discrimination or harassment. She stated that as a behavioral therapist she has seen the damages done to women by harassment and summarized the Title VII statute as well as read excerpts from the law.

Colleen Hodgins – She expressed her concern as a local business owner who has tried hard to improve her businesses. She noted that the City is a good City and that the City does have the best interest of the citizens at heart. She asked that the City focus on education to make all citizens feel comfortable. She expressed her desire to move forward and expressed her respect of the City Council and police department and wishes not to focus on any individual. She requested that all people keep crime victims in their thoughts and work to provide a safe environment for all of us.

Peter Grech – He expressed his concern of the lack of public health safety displayed at last weeks Vice Presidential debates and gave a demonstration of the effectiveness of plexiglass barriers.

Mayor Kelly Decker – The Mayor requested two resolutions to approve and execute both a lease and sub-lease subject to the City's legal counsel's review and approval for the EIB Solar Project.

A motion was made by Regis Foster and seconded Lisa Randazzo for the main lease subject to attorney review.

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

A motion was made by Stanley Siegel and seconded Regis Foster for the sub-lease subject to attorney review.

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

The Mayor requested a motion to approve the public assembly permit application submitted by for the Stone Challenge Event on 11/7/2020 by the Outdoor Club of Port Jervis. It was so moved by Regis Foster and seconded by Gerald Oney.

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

The Mayor noted that this Thursday 10/15/2020 is a 4th Ward Walk followed by a Ward meeting beginning at 6:30 and that Third Ward will be meeting on 10/19/2020. He noted that any citizen may attend a meeting in any ward as convenient.

The Mayor indicated that if people do not wish to participate in Halloween activities due to COVID concerns they should simply turn out their porch light and not answer the door. Any person who participates in Trick or Treating activities must wear an appropriate mask for viral protection and follow all social distancing protocols.

The Mayor noted that if COVID-19 spreads again the City may go back to virtual meetings.

October 13, 2020

He noted that for future meetings the 2nd public comment session will be reserved for items discussed at the meeting only as adopted by policy of the Common Council.

Mayor Decker then gave a pre-recorded video presentation of the Mayor's budget to the Council and all present.

Many present gave the Mayor compliments on his informative presentation.

After the presentation Mr. Simmons expressed his opinion that he wants the Council members to take no salary for the upcoming year.

Mrs. Trovei indicated that there may be legal issues with respect to the non-payment of salaries but that Council members may at any time donate monies to the City as a contribution.

Meeting Adjourned – A motion was made by Regis Foster and seconded by Kristin Trovei to adjourn.

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

Meeting adjourned at 9:10 pm.

Next Meeting is scheduled for 6:30 pm executive session and 7:15 pm general business session on Monday October 26, 2020.

Robin Waizenegger
City Clerk Treasurer