

CODE COMMITTEE
City of Port Jervis
Common Council Chambers
Wednesday, March 3, 2021 – 6:00pm

Committee Chairman: **Dominick Santini**
Committee Members: **Kristin Trovei, Chandler Campbell, Stanley Siegel**
Building Official: **Jim Farr**

Committee Chairman Dominick Santini called meeting to order.

Pledge of Allegiance:

Attendance: Mr. Santini – Mrs. Randazzo – Mrs. Trovei - Mr. Siegel – Mayor, Kelly Decker – Mr. James Farr, substitute code secretary Dottie Braid

Late arrivals: Ms. Campbell (6:04 pm), Mr. Simmons (6:22 pm) & Mrs. Mann (6:30 pm)

Approval of January meeting code minutes – motion by Kristin Trovei; seconded by Stanley Siegel.

AYE: 3 Absent at this time: 1 (Chandler Campbell) NAY: 0 ABSTAIN: 0 CARRIED

Public Comment:

Ed Degroat: Regarding the excavator parked at Canal Street and Johnson, Mr. Degroat had to remove his excavator immediately when parked at his premises. This other resident, beginning in 2017, had an excavator parked by his garage, then in 2018 it was moved behind some brush on the property and it is still parked at the premises.

Jim Farr: He has not seen it recently and he is near that location several times a week at 55 Canal St. The owner previously told him he has been doing a job at the location and that's why it's there. He also spoke to him about the unregistered vehicle and advised he needs to take care of that as soon as possible. The city is being lenient right now due to Covid and the issues with getting to DMV. If it's not gone in a month, he will order him to get rid of it. He will take a look tomorrow for the excavator. He pointed out to Mr. Degroat that the photo he is showing on his cell phone is from 2018.

Mr. Degroat: He showed additional photos, stating they are from November and December.

Jim Farr: Currently court is only taking 5 of our cases per week.

Ed Degroat: He stated that the City of Port Jervis refused to give him his foil requests.

Mr. Degroat was told the foil matter has nothing to do with code.

Ed Degroat: 43 Front St., is it in litigation? Is that why he can't get any information?

Jim Farr: Confirmed that 43 Front St. is in litigation.

Ed Degroat: He was told by another resident (Rebecca) to go take photos of the dust flying. She posted information online. He questioned if there was asbestos in the building as they tore the front of the building down. How much contamination was in the dust that was thrown out back? Was it \$18,000 to redo the front of the building? How can a building permit be issued for only \$18,000 for all that work?

Lisa Randazzo: She asked Mr. Degroat who specifically is his issue with. Building Department? Code Enforcement? Where are the complaints stemming from? She would like to get an understanding of that.

Ed Degroat: He said he does not want to blame it on the building officials. He wants to blame it on "that man sitting right there", and pointed to Mayor Decker.

Mayor Decker: "Do you think I tell them what to do?"

Dominick Santini: "This is getting off topic and is over the time limit."

Stan Siegel: He stated Mr. Degroat is not completely wrong about vehicles parked all over. Other people have complained too about trying to get up and down the street.

Ed Degroat: There was a complaint against him regarding debris, shingles from his shed. He got the violation. When he complained to Dave Rivera about debris in Dave Wilson's yard and provided photos, he was told to go sign a complaint, which he did. Then when he foiled for it, it was not there. "Where are the pictures? Where is the complaint? So some of this is the Building Department."

Old Business -

Dominick Santini: Dangerous Dogs - will put that up for public hearing at the next council meeting.

Stan Siegel: Did we confer with city attorney for an opinion?

Dominick Santini: Yes, and she sent a revised law over. A line was added.

Dominick Santini: Regarding the comprehensive plan, zoning and boundaries, he asked Kristin Trovei to explain as Valerie Maginsky was not here tonight.

Kristin Trovei: Two years had been spent on the comprehensive plan with public input, public workshops, etc. The comprehensive plan is not just what is there now but what are the goals for the future to expand the city. Changes in zoning negated the work done on the comprehensive plan. Now they are trying to mold the current with the future and cohesively combine everything in order to make it work and move forward. Comprehensive plans are supposed to be updated every 5 years. Ours took something like 20. A consultant, Barton & Lojudice, was contacted but she's not sure how much he will be involved in the process.

Jim Farr: There was already one zoning variance that was requested on the stretch of Fowler. One thought was to possibly do an overlay district. Where the line is on Fowler, it only goes back one lot so it's tough to make it commercial type use. What the zone allows in that district is tough to get on a 50' x 100' lot. To open up the uses, they are thinking of overlaying similar to Jersey Avenue with neighborhood mixed use.

Mayor Decker: The more pressing issue is where Flo-Jean used to be. We have not been approached recently, but 10-15 years ago a developer was interested but couldn't do what he intended with the zoning in place at the time.

Stan Siegel: He recalls that the developer wanted garages as ground level & housing above but the economy fell apart which is why he backed out. He felt if we offered up residential & business along the river, there would be more opportunity and interest. His biggest problem is that we have to make sure that

Fowler Street needs to be a straight line instead of going behind a house on Ball St. An overlay is a perfect solution. A consultant can probably help us.

Mayor Decker – Assessed values of homes along the river are high. He is concerned that the multi-family housing the last 25 years is reduced in value. Now, single families have increased; multi-family have not.

Jim Farr: Single family is not even allowed there.

Mayor Decker: He is aware of that but if there was retail, that would be more encouraging than townhouses.

Kristen Trovei: There is very little space for restaurants, etc., They wanted more recreational & retail as opposed to housing. When people were asked what they wanted to see, this is what they said.

Stan Siegel: He is in favor of anything along the river that would enhance the community. Business would be great, recreation would be great. He noted how Newburgh developed their waterfront where there was once all abandoned buildings. It worked well there.

Kristin Trovei: Newburgh has a much larger waterfront to work with.

Mayor Decker: We must avoid cheaply made housing (he noted Silk Mill Condos). Regarding handicapped accessibility, are there mandates?

Jim Farr: There would have to be a percentage, say 10%, of the units might have to meet that criteria.

New Business: None

Building Officials Report:

Jim Farr: The good news is year-to-date as of February, we collected \$262,000 vs. \$32,000 last year. Project wise, Dunkin Donuts building, just cleaning up some concrete left there. Building permit will be issued in the next few days. Cornerstone is proceeding and inspections are being done once or twice a week. Bon Secours is proceeding and will take probably another year. The hotel project, we are still waiting for additional information from them.

Stan Siegel: They are blaming us. Is there a delay on our side?

Jim Farr: He doesn't believe the license agreement is done yet.

Dominick Santini: It was approved at last council meeting.

Jim Farr: There is still a question as to where the driving of the piles is happening.

Tim Simmons: What are the plans for previous foundation?

Jim Farr: They will remove part of it, but it's staying for the most part. They are not using it for structural stability.

Public Comment: *About Topics Covered in Tonight's Meeting:* None

Old Business:

Stan Siegel: Re: Port Plaza – wall is not good and needs to be addressed.

Jim Farr: Mayor Decker was supposed to try to get a meeting with corporate on that as Jim is not getting anywhere with the property manager. He has given notice but has not given a formal violation and is trying to schedule a formal meeting.

Stan Siegel: At least a quarter of the wall is failing. He wants to make sure it's noted that we gave them notice.

Lisa Randazzo: She believes that they agreed to already do something about that wall sometime in the past.

Stan Siegel: He recalls that they indicated that there's not a problem because there is a double wall.

Jim Farr: The wall is failing.

Stan Siegel: It's the laterals that are rotting out.

Stan Siegel: Regarding 17 Owen Street, he visited there today. One of the steel beams installed to stop the bowing is now completely separated from the house.

Jim Farr: He has been in the building several times. Does he think it's going to fall down? Imminently, no. He can write it up as unsafe but you're looking at a \$75,000-\$100,000 bill. Building code lists roughly a dozen criteria to deem it unsafe and then it would have to come down. He does not feel it is in imminent danger of collapsing.

Stan Siegel: If it is unsafe, it should be deemed unsafe. ... But Church Street is?

Tim Simmons: On the corner of Church St. & Barcelow, across the street from Ambulance Corps.

Stan Siegel: Has that one been declared?

Jim Farr: It has not been declared. He recommends to talk to the attorneys who would direct him to go out and make a determination. Once it's declared, there needs to be an emergency meeting and then it needs to be torn down.

Stan Siegel: "You haven't been asked to do that yet?"

Jim Farr: "No".

Stan Siegel: "I thought you were."

Kristin Trovei: "The problem is where do we come up with the \$150,000 to deal with it?" She noted all the money we have had to go through since the beginning of the year for water tank issues, repairs, etc. We have no buyers for these buildings? For demolition, there are no more grants available. We're looking for money.

Stan Siegel: At one point, reinforcements were attached to the building and now they are not (re: Owen St.).

Kristin Trovei: "Why don't we e-mail the whole council & attorney and decide if it needs to be torn down, if that is the best thing to do. Let the attorney know and get the ball rolling.

Lisa Randazzo: There must be some list of these buildings to be looked at, monitored.

Jim Farr: If you look at city code, it has a lot of latitude to deem buildings unsafe.

Stan Siegel: In your opinion, is it stable enough not to fall down? Should we be worried?

Jim Farr: There does not appear to be any significant movement. But again, if he is directed by the council to go there, he will go through the criteria and write his report. Then the council will have to take action.

Stan Siegel: Both neighboring property owners have complained numerous times to him and he does not think either one of them is willing to put anything in writing. They came to him as a council person to do it.

Lisa Randazzo: She doesn't understand why a property owner can't file a complaint so it's formal and on record. She understands that sometimes they need to go through a third party but the initial complaint should come from them to start with. A dated and time-stamped e-mail or certified letter could be submitted.

Ed Degroat: A lot of people are afraid to come here. They come to him to make the complaints. They don't want to be picked on like he gets picked on.

Stan Siegel: People are reluctant to call. Every day, he is contacted by residents and he will be their spokesperson. For example, just this morning he got a call about the street sweeper going down East Main St. with no water in it and making a cloud of dust. He asked if they contacted the DPW and they stated they aren't doing that and would he take care of it? Yesterday it was a call about a pot hole in front of a residents house.

Tim Simmons: The street sweeper caused a cloud of dust today and he followed it from the Frank Bell Bridge and you could not see. He rode behind it, it was not wet in any way, not sure what the issue was with it.

Ed Degroat: Nobody wants to talk to this Council or the Building Department. Everyone is afraid.

Stan Siegel: They talk to me.

Ed Degroat: He guesses he's the third ward Council.

Stan Siegel: You could run.

Ed Degroat: I'm going to run..... North Carolina.

Stan Siegel: At 43 Front Street, there's construction going on. Are you aware of what they are doing? Do they need a permit for that?

Jim Farr: They still have an active building permit.

Tim Simmons: He saw evidence of demolition and stuff being thrown out. It looked like wall material. It was purple.

Jim Farr: If you see something, just call him or call Laurie.

Ed Degroat: The beam installed in the Trico TV building, was there a permit for that?

Jim Farr: He spoke to the guy and was told there was no beam being put in there. When he went out there, they were gone. He called the owner.

Stan Siegel: He spoke to the new owner of the building who said he had to get an architect to put his seal on the plans for \$5,000, then paid \$2,000 for an inspection? Why if you have an architects or engineers seal do you have to have it reinspected by the city? (Trico building/VanHorn purchased).

Jim Farr: That's what the building code requires.

Stan Siegel: I don't understand why. If the seal is there that means it meets code, right?

Jim Farr: Absolutely not. The seal means nothing. The seal is his liability; it does not mean it meets building code.

Stan Siegel: He was only questioning procedure because he doesn't understand it.

Jim Farr: Any project that costs more than \$20,000, that's structural related, needs to be sealed by an architect or engineer. It still needs to be issued a building permit by the building department; that's for any building department in NY state.

Maria Mann: Regarding a citation for snow removal, is there a set fee? How much is it? 1st offense.

Jim Farr: Within 24 hours the snow needs to be removed or a violation gets issued. The court decides. He thinks it's \$100, not sure. It's not something we sent DPW out for, right?

Maria Mann: It's the house on corner of Ball – yellow house.

Jim Farr: It's a fine. Have him go to court and tell them whatever the story is. The fee is at the judge's discretion.

Dominick Santini: Do I have a motion to dismiss?

Stan Siegel: "So moved".

Chandler Campbell: "Second."

AYE: 4 NAY: 0 ABSTAIN: 0 CARRIED

Meeting adjourned at 7:02 pm

Next Scheduled Code Meeting: **April 7th, 2021 @ 6:00 pm – Council Chambers**