

Regular Meeting - City of Port Jervis Common Council :

A regular meeting of the City of Port Jervis Common Council was held in the Council Chambers at 20 Hammond Street, Port Jervis, New York on Monday September 26, 2022, at 6:00 p.m.

Attendance-

Regis Foster	1st Ward	Present
Elizabeth Miller	1st Ward	Present
Maria Mann	2nd Ward	Present
Misty Fuller	2nd Ward	Absent
Denis Livingston	3rd Ward	Present
Michael Decker	3rd Ward	Present
Timothy Simmons	4th Ward	Present
Melissa Newhauser	4th Ward	Present
Stanley Siegel	Councilman-At-Large	Present
Mayor Decker	Mayor	Present

Also present :

City Clerk-Treasurer Laura Quick, Deputy Clerk Bobbie Jo Muller and Corporation Counsel Will Frank.
Meeting opened at 6:30 pm by Mayor Kelly Decker.

Pledge of Allegiance-

Mayor Decker led all present in the Pledge of Allegiance to the Flag.

Public Hearing-

Local Law 7 of 2022: Amend Chapter 475 Article IV entitled "Senior Citizens Tax Exemptions" of the City of Port Jervis Code to increase the maximum income limit and adjust the associated percentage of exemption schedule for certain partial real property tax exemptions for senior citizens within the City of Port Jervis pursuant to NYS Real Property Tax Law Section 467.

6:32 pm - A motion was made by T. Simmons to open the Public Hearing Second by S. Siegel
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Discussion - W. Frank, ESQ - The numbers were prepared by the City Assessor

6:33 pm - A motion was made by D. Livingston to close the Public Hearing Second by T. Simmons
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Local Law 8 of 2022: Amend LL 12 of 2014 which created a use fee for individuals and entities in the City of Port Jervis and repealing Local Law 13 of 2014

6:34 pm - A motion was made by T. Simmons to open the Public Hearing Second by M. Decker
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Discussion - W. Frank, ESQ - Created at the request of the City's Assessor

6:36 pm - A motion was made by T. Simmons to close the Public Hearing Second by D. Livingston
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Public Comment-

- Ms. Laura Meyer: The City of Port Jervis just celebrated its 29th Annual Fall Foliage Festival yesterday in historic downtown. Despite the threat of rain through out the day, the community came together and made it another successful event! A couple of stray sprinkles and a few bursts of sunlight make it a great day for the vendors, visitors and entertainment. I would like to thank all of the vendors, dancers,

musicians, Chris Clark and Visitors who came to Port Jervis. Not to forget the beautiful classic cars that came out to share our day. It takes a team to make an event a hit. So, I would like to thank - from the Port Jervis Tourism Board Mike, Myer, Maria Mann, Sean Addy, Melissa Newhauser, Bob Bloomer, Danny Van Kleeck, Theresa Balough, JJ, Regis Foster, Catherine Westfall and Will Schill. Thank you to all the Honor Students who came out to assist at the festival. Thanks to John Faggione for your assistance. The support of the Mayor and Council. The Clerks office- especially the City Clerk Laura Quick and all of our sponsors. And not to forget the DPW, Port Jervis Police, Ambulance and Fire Department who kept us protected and safe. The 30th Fall Foliage Festival will be held on September 29, 2023.

Approval of Minutes-

- August 08, 2022, Motion by R. Foster seconded by E. Miller
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 1 (Livingston) CARRIED
- September 12, 2022, Motion by D. Livingston seconded by E. Miller
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- August 15, 2022, Motion by D. Livingston seconded by M. Mann
AYE: 5 ABSENT: 1 NAYS: 0 ABSTAIN: 3 (Foster, Decker, Simmons) CARRIED

Regular Business-

R. Foster - ADA

The next ADA committee meeting October 6, 2022, at 5:30 pm

R. Foster - Police -

- Motion to accept the September 2022 Monthly Meeting Minutes second by M. Newhauser
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

The next Police Committee meeting is October 20, 2022.

E. Miller - Finance

- Motion to approve the September 23 Bills second by R. Foster
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve the August 2022 Committee minutes second by S. Siegel
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

The next Finance Committee meeting is on October 19, 2022, which will be a Budget Workshop starting at 5:30 pm

M. Fuller - FEM -

M. Mann - Tourism-

Tourism has not met since their last meeting.

Thank you to all of tourism board volunteers for their hard work at yesterday's 29th annual fall foliage festival. Our DPW, Police, fire police, EMS and Rec for their assistance & support during the event.

Christkindlmarkt will be held downtown on Sunday November 27th from 10 to 6pm applications are now available on the cities website @ www.portjervisny.gov the city clerk's office or email tourism chair Laura Meyer at tourism@portjervisny.gov. The board is also working on the upcoming Halloween and Christmas lighting contest.

The next tourism meeting will be held on Wednesday October 12th at 7:00 pm here in the council chambers.

M. Mann - IDA-

Due to a lack of agenda items the IDA has not met. Their next meeting will be held on October 17th at 6pm here in the council chambers.

M. Decker -Planning -

The public hearings for Rumshock Veterans Foundation was closed and Phase 1 was approved. There was a 1-year review for A-1 Storage on 109 West Main Street and extension of 6 months was granted in order to obtain building permits. There are no new pre-submissions at this time.

The next meeting is October 18, 2022, at 7pm

M. Decker -Zoning -

Continuation of the pre-submission for 36 Buckley Street variance for an above ground pool.
Next meeting is October 4, 2022, at 7pm which will include a public hearing on the pool.

D. Livingston - DPW-

- Garbage and recycling will be on its normal schedule for the week of September 26th. The week of October 3rd all garbage and recycling will be on its normal schedule. The weeks of September 24th and October 3rd paper pickup will be on its normal schedule.
- The 2022 Garbage schedule is available on the city website at www.portjervisny.gov or by emailing the DPW office at dpwclerk@portjervisny.gov .
- Every Monday Leaf pickup will resume until completed
- Sidewalks on Pike St. started any question Please call 858 4000
- Sewer Relining in the fourth ward is ongoing
- Motion to approve September 6, 2022, minutes second M. Decker
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Next meeting October 6, 2022, at 6pm

D. Livingston - CDA

The next CDA meeting will be September 28, 2022, at 7pm

T. Simmons - Code-

- Motion to approve September 7, 2022, minutes second M. Decker
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve Local Law 7 of 2022 second D. Livingston -
The Law is a type 2 action, routine update to City Code
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve Local Law 8 of 2022 second D. Livingston -
The Law is a Type 2 Routine Code Administration
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

The next Code meeting will be October 5, 2022, at 6:30pm

M. Newhauser - Recreation-

- The last day of registration for our Little Chefs at PJ Rec cooking class will be this Thursday September 29 at the Youth Center between 5 pm- 7 pm. Cost for this class is only \$40 per child. Class is for boys and girls ages 10-13. Classes will be held at the Youth Center Saturday mornings between 10 am- 12:15 pm. Classes begin October 1.
- Our "Teen Night" program at the Youth Center is returning after a two-year break. Teen Night will be for Middle School students and will be held at the Rec. Room of the Youth Center every other Friday night starting Friday October 7. Teen Night hours will be 6 pm- 9 pm. Teen Night is FREE of charge.
- The Rec Room at the Youth Center is open Monday-Friday between 3 pm- 6pm. The Rec Room will be closed on Monday October 10- Columbus Day.
- The 74th Halloween Parade is scheduled for Saturday October 29, 2022. Line-up is at 3 pm on Hammond Street in front of City Hall with the parade to kick off at 3:30 pm. At the conclusion of the parade at Farnum Park cider and donuts will be served, prizes awarded, and candy passed out to children. The parade is for children, adults and pets. Remember to dress festive!
- The next recreation Commission meeting is scheduled for Wednesday September 28 at 6 pm at the Youth Center.

S. Siegel - Housing/Veterans

- Hudson Valley Honor Flight – the next flight is October 8, 2022. Please visit hvhonorflight.com/how-to-participate for further information.
- 988 is the new mental health crisis hotline number.
- Flu shots will be available starting Wednesday.
- Seniors will meet on 9/28, 10/12, and 10/26/2022 in the Fellowship Hall in West End
- Watch out for Sweet Tarts they could be laced with Fentanyl
- Happy Jewish New Year and Happy Sweet 16 Emma

Public Comment - None**Mayor Decker**

- Consideration of event: Extend Cruzin Port to October 4, 2022, as Sept was rained out
Motion S. Siegel second T. Simmons
AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- There will be a Special Common Council meeting on September 27, 2022, at 6pm for Sergeant Interviews
- The next Common Council Meeting is October 11, 2022, at 6:30pm due to the Holiday
- Tax Lien Grievance Day is October 11, 2022, at 6:31 pm
- Public Hearing for Tax Cap override set for October 24, 2022 at 6:31 pm.
- School taxes are collected by the school

Executive Session-

7:03 pm - A motion was made by T. Simmons second by M. Decker to enter into executive session based on Public Officers Law Article 7 105.1e - CSEA Contractual (x1)

The Council will also seek advice from legal counsel on issues regarding any other attorney client privileged matters as necessary.

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

7:14 pm A motion was made by T. Simmons to return from executive session second by D. Livingston

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Motion to adjourn at 7:15 pm. Motion S. Siegel Second M. Mann

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Respectfully,
Laura Quick
City Clerk Treasurer

CITY OF PORT JERVIS

P.O. BOX 1002
20 HAMMOND STREET
PORT JERVIS, NEW YORK 12771

Regular Common Council Meeting Agenda
IN-PERSON MEETING ONLY

Monday, September 26, 2022 - 6:30 pm Regular Session:

Pledge of Allegiance / Roll Call

Public Hearing:

LL 7 of 2022 Amend LL 475-6 Senior Citizen Tax Exemption RP-467
LL 8 of 2002 Amend LL 12 of 2014 Sewer

Public Comment:

5-minute limit per person

BASED ON PUBLIC OFFICERS LAW ARTICLE 7

Executive Session:

NONE SCHEDULED

Approval of Minutes:

August 22, 2022 – Common Council Meeting Minutes
September 12, 2022 – Common Council Meeting Minutes
September 15, 2022 – Special Common Council Meeting Minutes

Address Executive Session Material:

Business:

Foster: (POLICE/ADA) -

Police/ADA Update

Miller: (FINANCE) -

Bills to be Paid:
Finance Update:

Motion: Miller; 2nd

Fuller: (FEM) -

FEM Update:

Mann: (TOURISM/IDA)

Tourism / IDA Update:

M. Decker: (PLANNING/ZONING) -

Planning / Zoning Update:

Livingston: (DPW/CDA) -

Public Works Update:

Simmons: (CODE) -

Code Update:

Consideration: LL 7 of 2022 Amend LL 475-6 Sen Cit Tax Exemption RP-467
Consideration: LL 8 of 2002 Amend LL 12 of 2014 Sewer

Newhauser: (RECREATION)

Recreation Update:

Siegel: (HOUSING/VETERANS) -

Housing/Veterans Update:

Public Comment:

5-minute limit per person

Mayor Decker -

Consideration - Extend Cruzin Port to Oct 4th as Sept was rained out

Motion: ;2nd

Adjournment:

Motion: ;2nd



CITY OF PORT JERVIS
P.O. BOX 1002
20 HAMMOND STREET
PORT JERVIS, NEW YORK 12771



Police Committee Meeting Minutes

15 September 2022 6:15 pm

Members Present: Mr. Livingston, Ms. Miller, Ms. Mann, Mr. Siegel, Ms. Newhauser, Chief Worden

Public Comment: No public comment received.

New Business: Updates

A review of the August Crime Report was conducted for the committee. Part I crimes have risen by 45% for the year, arrests for criminal offenses have increased by 39%, and offenses involving burglary, petit larceny, simple assault, aggravated assault, Driving While Intoxicated and overall arrests have increased.

Bid Preparations for Fixed License Plate Readers are being prepared to present to the Council to solicit funding to install fixed license plate readers at city entrances. The draft bids will be forwarded to Corporation Counsel for review prior to submission to the Council.

Fall Festival safety and operational planning is being conducted for emergency management of the upcoming event.

Bell Game Procession involving local emergency services is scheduled for Friday, September 16th at 4:30pm.

Annual Harvest Festival sponsored by City of Port Jervis PD, Rec, DPW scheduled for October 15th at Riverside Park.

Grace Church Trunk or Treat- The department will be participating in the upcoming Trunk or Treat at Riverside Park on October 29th following the Recreation Dept. Parade.

Training Report- Officers are currently being training in the filing of Emergency Risk Protection Orders (ERPO), Officer Patrick Kerr has graduated from the DCJS Emergency Vehicle Operators Instructors Course, Sgt Dan Mioglionico and Officer Andrew Haniuk have successfully graduated from the DCJS Police Defensive Tactics Instructors Course. School Officers recently completed a "Back to School" in-service training involving legal updates, youth mental health, and active shooter response training with

the department firearms simulator. Crossing Guards recently completed a back-to-school training orientation.

2022-23 Traffic Safety Grants- The department was awarded \$14,440.00 for police traffic safety enforcement and \$3,800.00 for Buckle Up Enforcement. Enforcement waves begin October 1, 2022-September 30, 2023.

Child Passenger Safety Seat Inspection Event is planned for Thursday September 22 at the PJFD lot at 22 Hammond Street. The event is being hosted by the PJPd, PJFD, Deerpark PD.

Vehicle Replacement review for 2023 – The department is reviewing the need to replace three marked patrol cars in 2023.

Bola Wrap Restraint Technology- The department has received the first order of BOLA Wrap restraint technology and has begun training officers to deploy in the field. Members of the committee inspected the BOLA Wrap and received information about the restraint capabilities this technology provides for officers.

The Committee discussed a current potential traffic condition at the East Main Street Railroad Bridge involving a diminished bridge height due to recent paving. The Department of Public Works have taken immediate action regarding this situation and are working with the paving vendor to remedy the situation.

Officer Stanley Buczek was recently accepted into the prestigious Drug Recognition Expert Training Program sponsored by New York Stop DWI Program.

Officer Stanly Buczek was awarded the 2021 Stop DWI Award for Municipal Police in Orange County for his continued commitment to traffic safety and the detection of impaired drivers on the roadway.

Old Business: Updates

Review of Canal Street Speed Study- The committee reviewed the results of the recent Canal Street traffic study which revealed overall compliance with the posted speed limit in the neighborhood. The committee will continue to monitor- no action taken.

Range Building Bid- Engineer Change- The Chief reported the sudden passing of project David Crawford. Mr. John Fuller, P.E, will be meeting with the chief to review the project and assist.

Body Camera infrastructure has arrived and is currently being installed in the police department. A training and deployment plan is being instituted for the month of October.

Mobile LPR – A mobile license plate reader granted to the City by DA Hoovler has been installed on a marked patrol vehicle by Secure Watch Cameras.

Officers Rich Santini and Kyle Mitchell have been providing a one-to-two-hour Citizen Response to Active Shooter Course Training to the following groups:

- Port Jervis School District
- Bon Secours Community Hospital
- Easter Seals
- Quality Bus

Sergeant Vacancy- The committee approved a request by the Chief of Police to hold a special meeting of the committee and the Citizens Advisory Committee to interview three candidates who have recently passed the Civil Service Test for Police Sergeant to fill one current vacancy. The candidate selected will officially start their duties on October 3, 2022, to attend a mandatory three-week course in police supervision. Date of interviews to be established by Mr. Foster.

Executive Session- Review of Candidates for the following part-time non-competitive positions:

SPO Vacancy- The department currently has two vacancies in the school police unit (retirements of SPO Hockenberry and Vicchiariello). The committee reviewed information provided on a candidate who has currently completed a background investigation and will require further processing including a psychological, fingerprinting, and medical screening. The Chief of Police will make a recommendation to the Council for a conditional hiring during a future Council Meeting.

Crossing Guard Vacancy- Information on a candidate was reviewed pertaining a vacant part time crossing guard candidate (Kingston Ave/E. Main Street. A successful background investigation has been conducted and the candidate will require fingerprinting. A formal request for hiring approval will be forwarded to the Council.

Adjournment: 7:30pm

Respectfully Submitted,

William J. Worden

William J. Worden

Chief of Police

CITY OF PORT JERVIS
Accounts Payable

9/23/2022

1 General Fund	\$288,131.82
2 Water Fund	\$56,238.40
3 Sewer Fund	\$13,769.46
4 Capital Fund	\$49,712.16
5 Trust and Agency	\$25,130.39
Total	<u>\$432,982.23</u>

GENERAL, WATER & SEWER FUNDS

NYS Employees Health Insurance	\$265,188.48
Orange & Rockland	\$29,219.89
Janata, Lacap & Hazen	\$12,245.00
CSEA Employee Benefit	\$7,532.00

CAPITAL FUND

Hufcut Concrete	\$35,370.00
A Plus Striping Inc	\$6,500.00
Tri County Excavation	\$3,250.00
Gallagher/Carol Esq	\$4,000.00

CODE COMMITTEE
City of Port Jervis
Common Council Chambers
Wednesday, September 7, 2022 – 6:30pm

Committee Chairman: **Timothy Simmons**
Committee Members: **Stanley Siegel, Michael Decker, Elizabeth Miller**
Building Official: **David Rivera**
Fire Inspector: **Robert Brady**

Also Present: Mayor Decker, Mrs. Mann, Ms. Newhauser, Mr. Livingston, Clerk -Treasurer Quick, Deputy Clerk-Treasurer Muller, Assessor Spradling, Building Inspector Rivera, Safety Inspector Steele.

Absent: Stanley Siegel

Committee Chairman Simmons called meeting to order.

Pledge of Allegiance:

Public Comment: None

Public Hearing: None

Approval of Minutes:

Motion by Ms. Miller, seconded by Mr. Decker to approve the August 3, 2022 Code Committee meeting minutes.

AYE: 3 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Executive Session: None

New Business:

Mr. Simmons added the first 3 items to the agenda.

1. New York State has allowed municipalities to lower speed limits from 30 mph to 25 mph.
Mr. Simmons will seek input from police Chief Worden on this.
2. The possible need to institute water restriction criteria.
Currently there is nothing in place, or who would enforce it.
3. Consideration for on street parking for winter.
In order to consider allowances for this, the matter needs to be brought to several committees (DPW, Fire Dept., Police) first. Currently we do lift restrictions when weather allows.

4. Recreation department playgrounds and parks concerns.

Corporation Counsel is still working on a draft for a local law to address these concerns per Mr. Simmons.

5. Cannabis store locations and licensing.

Mr. Simmons asked everyone to take the time to review and comment on the proposed local law. A public hearing will also need to be set for this in the future.

6. Amend Local Law 13 of 2014 for senior citizen tax relief.

Assessor Spradling explained Enhanced Star and that the City (max. 25,000) is not in line with the School (max. 32,400) and County (approx. 37,400). Therefore, some residents pay more in City Tax than they do for School Tax. Exemption amounts have not changed since 1995.

Assessor Spradling also reviewed and explained how changes should be made to the exemption on the sewer bills.

Mayor Decker advised that a public hearing would need to be set.

Motion by Ms. Miller, seconded by Mr. Decker to move forward regarding Chapter 475 and set a public hearing.

AYE: 3 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Ms. Miller, seconded by Mr. Decker to set a public hearing to amend Local Law 12 of 2014.

AYE: 3 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Old Business:

Building Official Rivera was asked about the application for Big Joe's Auto Repair. It will not be approved.

Fire Inspector's Report:

None, as Mr. Brady could not be here tonight.

Building Officials Report:

Mr. Rivera has implemented daily Zoom meetings being held at 8:30 a.m. with his department.

Public Comment:

Mr. Blanton (resident of 61 Sussex St): Expressed concerns about 2 large abandoned houses for the past 5 years on his street, one of which had a fire. He also feels City of Port Jervis should come up with on-street parking solutions during the winter in addition to the parking permit program (for designated lots) which the City has in place now.

Adjournment:

Motion by Ms. Miller, seconded by Mr. Decker to adjourn the meeting.

AYE: 3 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Meeting adjourned at 7:50 p.m.

The next Scheduled Code Meeting: October 5th, 2022 @ 6:30 pm – Council Chambers

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 7 OF 2022

A LOCAL LAW AMENDING CHAPTER 475, ARTICLE IV ENTITLED “SENIOR CITIZENS TAX EXEMPTION” OF THE CITY OF PORT JERVIS CODE TO INCREASE THE MAXIMUM INCOME LIMIT AND ADJUST THE ASSOCIATED PERCENTAGE OF EXEMPTION SCHEDULE FOR CERTAIN PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR SENIOR CITIZENS WITHIN THE CITY OF PORT JERVIS PURSUANT TO NYS REAL PROPERTY TAX LAW SECTION 467

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York, as follows:

Section 1. Statement of Intent

This Local Law is enacted to amend Chapter 475, Article IV of the City of Port Jervis Code entitled “Senior Citizens Tax Exemption” for the purposes of increasing the maximum income limit for senior citizens to receive a partial tax exemption on real property in the City of Port Jervis. Additionally, this Local Law would adjust the associated percentage schedule for exemptions for those incomes greater than the newly adopted maximum income limit pursuant to this Law.

By adopting this Local Law, the partial real property tax exemption for senior citizens would be the same for the City of Port Jervis as it is currently for the City of Port Jervis School District.

Section 2. Amendment

City of Port Jervis Code Chapter 475, Article IV, Section 427 is hereby repealed in its entirety and replaced with the following:

Section 475-27. Exemption established; statutory authority; maximum limit.

A. A partial tax exemption of real property within the City of Port Jervis owned by certain persons with limited income who are 65 years of age or older is hereby enacted pursuant to the authority and in accordance with all of the provisions, terms, conditions and qualifications of § 467 of the New York State Real Property Tax Law as it is written and as it may be hereafter, from time to time, amended, adopting the maximum income limit of \$24,000 with 50% exemption for the City of Port Jervis.

B. For incomes greater than the maximum income limit stated herein, a sliding scale per centum exemption shall apply as provided in the following schedule:

Annual combined Income of owners	Percentage Assessed Valuation Exempt from Taxation
\$ but less than \$24,000.00	50
\$24,000 or more but less than \$24,999.99	45
\$25,000 or more but less than \$25,999.99	40
\$26,000 or more but less than \$26,999.99	35
\$27,000 or more but less than \$27,899.99	30
\$27,900 or more but less than \$28,799.99	25
\$28,800 or more but less than \$29,699.99	20
\$29,700 or more but less than \$30,599.99	15
\$30,600 or more but less than \$31,499.99	10
\$31,500 or more but less than \$32,399.99	5

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 8 OF 2022

A LOCAL LAW AMENDING LOCAL LAW NO. 12 OF 2014 WHICH CREATED A SEWER USE FEE FOR INDIVIDUALS AND ENTITIES IN THE CITY OF PORT JERVIS AND REPEALING LOCAL LAW NO. 13 OF 2014

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York, as follows:

Section 1. Statement of Intent

This Local Law is enacted to amend Local Law No. 12 of 2014, which provided for a reduced sewer fee for certain property owners in the City of Port Jervis. Local Law No. 12 of 2014 was further amended by Local Law No. 13 of 2014 to provide that reductions would apply to those residents that were granted or approved for Enhanced STAR.

The intent of Local Law No. 13 of 2014 was to provide reductions in the sewer fee amounts primarily for the City's low-income senior citizen population. Since the adoption of Local Law No. 13 of 2014, the qualifying incomes for Enhanced Star have increased significantly. As such, to preserve the intent of the law which was to protect and offer sewer fee reductions to low-income senior citizens, the Common Council of the City of Port Jervis wishes to adopt this law to apply sewer fee reductions only to those individuals that were granted/approved for partial tax exemption under NYS Real Property Tax Law Section 467 pursuant to the terms provided herein.

Section 2. Repeal of Local Law No. 13 of 2014

City of Port Jervis Local Law No. 13 of 2014 is hereby repealed in its entirety.

Section 3. Amendment of Local Law No. 12 of 2014

Paragraph number 2, subparagraph (b) of City of Port Jervis Local Law No. 12 of 2014 shall be repealed and replaced with the following:

(b) Reductions to the sewer use fee shall be established for residents of the City of Port Jervis who were granted and/or approved for the partial tax exemption for real property of senior citizens under NYS Real Property Tax Law Section 467; the reduction of the sewer use fee will terminate on the date the property owner by the NYS Real Property Tax Law Section 467 exemption recipient is sold/conveyed to an individual(s) who does not qualify for said exemption.

Section 4. Applicability of this Local Law.

Any residents who currently qualified for a sewer fee reduction pursuant to Local Law No. 13 of 2014 due to said resident being granted and/or approved for Enhanced STAR shall remain eligible for the sewer fee reductions until such a time that the Enhanced STAR is terminated and/or the property is sold/conveyed.

Section 5. **Separability**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. **Repeal**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 7. **Effective Date**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.