

**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 February 12, 2024, at 6:30 p.m.

**Attendance-**

Jason Vicchiariello	1st Ward	Present
Colin O'Connell	1st Ward	Present
Misty Fuller	2nd Ward	Absent
Maria Mann	2nd Ward	Present
Jeffrey Rhoades	3rd Ward	Present
Vacant		
Jacqueline Dennison	4th Ward	Present
Stanley Siegel	4th Ward	Present
Michael Hockenberry	Councilman-At-Large	Present
Dominic Cicalese	Mayor	Present

Also present:

City Clerk-Treasurer Laura Quick and William Frank, Esq.

The meeting opened at 6:30 pm by Mayor Cicalese.

**Pledge of Allegiance-** Mayor Cicalese led all present in the Pledge of Allegiance.

**Public Hearing** - None

**Presentation** - None

**Public Comment** - None

**Executive Session- 6:31 pm**

Motion by C. O'Connell, second by J. Rhoades to enter executive session on Public Officers Law Article 7 -

- 105.1-f Personnel (x2)
- 105.1-h - Contractual (x2)

AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

7:12 pm Motion was made by J. Rhoades to return from executive session, second by M. Hockenberry.

AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

**Approval of Minutes-**

- Motion to approve January 22, 2024 Common Council minutes by J. Vicchiariello, second J. Rhoades.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

**Executive Session Material** - None

**Regular Business-****J. Vicchiariello - CODE**

- Reported that the last Code Meeting was held on February 7<sup>th</sup> and they discussed the pending Short Term Rentals, the Cannabis Moratorium and the Mountain Conservation and Waterfront Mixed-Use Districts.

- Motion by J. Vicchiariello, second by S. Siegel to set a Public Hearing for February 26<sup>th</sup> at 6:31pm for Local Law #3 Amending Section 535 of the City Code Modifying the Permitted Uses Within the Mountain Conservation and the Waterfront Mixed-Use Districts of the City.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- The next Code Committee meeting will be held March 6<sup>th</sup> at 6:30 pm.

**J. Vicchiariello - POLICE** - The next Police Committee meeting will be held February 22<sup>nd</sup> at 6pm.

**C. O'Connell - Zoning** - The March 6<sup>th</sup> Zoning Board meeting was cancelled. The next meeting will be held March 5<sup>th</sup> at 7pm.

**C. O'Connell - Planning** - The next Planning Board meeting will be held February 20<sup>th</sup> at 7pm.

**M. Hockenberry - Finance** - The next Finance meeting will be held February 28<sup>th</sup> at 6pm.

- Motion to approve Accounts Payable Warrant for \$403,130.56 dated February 12<sup>th</sup>, second by J. Rhoades.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve the Determination of Current Base Proportions for 2024 as submitted from the Assessor's office, second by C. O'Connell.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

**M. Mann - Tourism** - The next Tourism meeting will be held February 13<sup>th</sup> at 7pm.

- The 6<sup>th</sup> Annual St. Patrick's Day Parade is on Sunday, March 3<sup>rd</sup> at 3pm. The Grand Marshal will be Kevin Keane. Anyone with any further inquiries may email tourism chair Laura Meyer at [floralaurapj@yahoo.com](mailto:floralaurapj@yahoo.com)

**M. Mann - IDA** - The IDA has not met since their last meeting. Their next scheduled meeting will be held on February 20<sup>th</sup> at 6pm in the council chambers.

**J. Rhoades - FEM** - The next FEM meeting will be held on February 22<sup>nd</sup> at 6:30pm

- Motion to approve Neversink Engine Co. to host take out Spaghetti Dinners on March 9<sup>th</sup> and November 9<sup>th</sup>, second by J. Vicchiariello.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve Maghogomock Hook & Ladder to host take out Roast Beef Dinner on March 23<sup>rd</sup>, second by S. Siegel.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to Approve Tri-State Hose #6 for a Month Long 50/50 Raffle beginning in April. Winner to be announced at their May meeting. And a request for an Annual Golf Outing on June 14<sup>th</sup> and a booth at the Fall Foliage Festival in September, second by S. Siegel.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve Excelsior Engine Co. #5 to host a Pizza Take Out on March 29<sup>th</sup>, Old Timers Night on May 18<sup>th</sup>, Pizza & Funnel Cake at Soap Box Derby on June 9<sup>th</sup> and at Fall Foliage on Sept. 22<sup>nd</sup>, Christmas Party on Dec. 14<sup>th</sup> or 21<sup>st</sup>, second by J. Vicchiariello.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve Junior Membership for Justin J. Grusz for Maghogomock Hook & Ladder, second by C. O'Connell.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve appointment of probationary driver Brianna Moore for Neversink Engine Co., second by S. Siegel.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve a By Law Change for Neversink Engine Co. pertaining to the verbiage about a custodian at the firehouse, second by M. Hockenberry.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED



**S. Siegel - Housing/Veterans**

- Housing will meet on February 27<sup>th</sup> at 7pm at Hillside Terrace.
- Helpful Tax Seasons Hints for Veterans:
  1. VA Benefits are Tax Free.
  2. No Federal Income Tax on VA Insurance Proceeds.
  3. Veterans with a service-connected disability rating may qualify for a property tax exemption.
  4. Some Veterans may qualify for free assistance for filing for MIL Tax or for IRS Free File.
- Senior Club - Meetings will be held on February 14<sup>th</sup> & 28<sup>th</sup> at 1:00 pm at Fellowship Hall.
- Access 23 - Still not on the air, some re-wiring needs to be completed.
- A William James Quote "It is our attitude at the beginning of a difficult task which, more important than anything else, will affect its successful outcome."

**J. Dennison - CDA-**

- Motion to approve Resolution 2024-0212-013 to accept a New York State Department of Environmental Conservation Drinking Water Source Protection Program Technical Assistance Grant, second by J. Vicchiariello.
- The CDA met on January 24<sup>th</sup>. It was their reorganization meeting; oaths of office were administered, and Officers were elected. Their next meeting will be held on February 28<sup>th</sup> at 7pm at 134 Pike Street.

**M. Hockenberry - DPW-**

- The DPW Committee met on February 8<sup>th</sup> and discussed staffing issues. There will be some postings for upcoming jobs shortly for an Electrician and a Mechanic. A new sweeper has been ordered. The next meeting will be held on March 4<sup>th</sup> at 6:30pm.
- Garbage and recycling the week of February 19<sup>th</sup> will be picked up 1 day later due to the Holiday. Cardboard pickup will be on its normal scheduled day.
- Please clean up around any fire hydrants near your property after a storm to allow access in case of an emergency.

**Mayor Cicalese -**

- Reminder that the Public Hearing for Wednesday, February 14<sup>th</sup> meeting for the At-Grade Rail Crossing has been postponed until further notice.
- The overnight parking ban is back in effect Tuesday, February 13 at 1:00 am due to an upcoming storm.
- Re-appoint Thomas Vicchiariello Chairman of the Planning Board to January 31<sup>st</sup>, 2027.
- Re-appoint Donald Schields Jr. to Planning Board to January 31<sup>st</sup>, 2027.
- Set a Public Hearing for an Application for Hardship Variance for Green Port Smoke Shop, Inc. for February 26<sup>th</sup>, 2024, for 6:31pm. Motion by J. Vicchiariello, second by S. Siegel.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Request that \$3,800 come out of Contingency for Advertising in Site Selection Magazine for the Annexed Properties. Motion by J. Vicchiariello, second by S. Siegel.  
AYE: 7 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED
- Appoint Gerald Oney Jr. to fill the vacant 3<sup>rd</sup> Ward Alderman seat. Motion by M. Hockenberry, second by J. Rhoades.

Jason Vicchiariello	1st Ward	AYE
Colin O'Connell	1st Ward	AYE
Maria Mann	2nd Ward	AYE

<b>Misty Fuller</b>	<b>2nd Ward</b>	<b>ABSENT</b>
<b>Vacant</b>	<b>3rd Ward</b>	
<b>Jeffrey Rhoades</b>	<b>3rd Ward</b>	<b>AYE</b>
<b>Stanley Siegel</b>	<b>4th Ward</b>	<b>NAY</b>
<b>Jacqueline Dennison</b>	<b>4th Ward</b>	<b>AYE</b>
<b>Michael Hockenberry</b>	<b>Councilman-At-Large</b>	<b>AYE</b>

AYE: 6 ABSENT: 1 NAYS: 1 ABSTAIN: 0 CARRIED

S. Siegel expressed his reason for voting no. He feels that the seat should be given to Jackie Smith.

M. Hockenberry followed, stating that if the residents of the 3<sup>rd</sup> Ward wanted Ms. Smith in that seat, they would have voted for her.

7:35 pm - Motion to adjourn by J. Rhoades, second S. Siegel - all in favor.

Respectfully,  
Bobbie Jo Muller  
Deputy 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 February 12, 2024 - 6:30 pm Regular Session:

Pledge of Allegiance / Roll Call

<b>Public Hearing:</b>	NONE
<b>Presentation:</b>	NONE
<b>Mayor Appointment:</b>	NONE
<b>Public Comment:</b>	5-minute limit per person
<b><u>BASED ON PUBLIC OFFICERS LAW ARTICLE 7</u></b>	
<b>Executive Session:</b>	105.1-f Personnel x 2 105.1-h Contractual x 2

**Approval of Minutes:** Jan 22, 2024 – Common Council Meeting Minutes

### **Address Executive Session Material:**

#### **Regular Business:**

<b>CODE</b> <i>Vicchiariello</i>	Motion to set public hearing for Local Law #2 - Amending Section 535 of the City Code, Mountain Conservation and Waterfront Mixed Use Districts.
<b>POLICE</b> <i>Vicchiariello</i>	
<b>PLANNING &amp; ZONING</b> <i>O'Connell</i>	
<b>FINANCE</b> <i>Fuller</i>	Bills to be paid Assessor's Report. Motion for approval
<b>TOURISM</b> <i>Mann</i>	Report
<b>FIRE</b> <i>Rhoades</i>	Report
<b>HOUSING/VETERANS</b> <i>Siegel</i>	
<b>CDA</b> <i>Dennison</i>	Report Contract Resolution
<b>DPW</b> <i>Hockenberry</i>	
<b>MAYOR'S COMMENTS</b> <i>Mayor Cicalese</i>	Consideration: Motion for Site Selector Magazine Advertisement \$3,800.00 Consideration: Set Public Hearing Date of Feb 26, 2024 Hardship Application Green Port Smoke Shop Appointment of 3 <sup>rd</sup> Ward Alderman Seat Appointment Planning Board Appointments x 2
<b>ADJOURNMENT</b>	

**CITY OF PORT JERVIS**

Accounts Payable

2/12/2024

<b>1 General Fund</b>		\$148,429.11
<b>2 Water Fund</b>		\$13,212.65
<b>3 Sewer Fund</b>		\$1,911.00
<b>4 Capital Fund</b>		\$174.42
<b>5 Trust and Agency</b>		\$239,403.38
<b>6 Recreation</b>		
	<b>Total</b>	<u>\$403,130.56</u>

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND  
CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE  
LEVY OF TAXES ON THE 2024 ASSESSMENT ROLL

Approved Assessing Unit  
Name of Portion

331300  
City of Port Jervis

DETERMINATION OF BASE PERCENTAGES				
Section I	(A) 1991 Taxable Assessed Value	(B) 1991 Class Equalization Rate	(C) Estimated Market Value A/(B/100)	(D) Base Percentages (C/sum of C)
Homestead	104,548,264	52.37	199,633,882	70.79662
Nonhomestead	48,272,603	58.62	82,348,350	29.20338
Total	152,820,867		281,982,232	100.00000

DETERMINATION OF CURRENT PERCENTAGES				
Section II	(E) PRIOR AR ROLL Taxable Assessed Value Including Special Franchise	(F) PRIOR AR ROLL Class Equalization Rate	(G) Estimated Market Value E/(F/100)	(H) Current Percentages (G/sum of G)
Homestead	119,150,094	28.75	414,435,110	56.67052
Nonhomestead	68,190,678	21.52	316,871,180	43.32948
Total	187,340,772		731,306,290	100.00000

**Section III**

**DETERMINATION OF CURRENT BASE PROPORTIONS**

Class	(I) Local Base Proportion for the 1992 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Column (J) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current	(N) Maximum Current Base Proportion (Blank if criteria not Met)	(O) Current Base Proportions
		I*(H/D)	(J/sum of J)			(L*1.05)	
Homestead	58.4337	46.77439	43.13114	43.92815	-1.81		43.13114
Nonhomestead	41.5663	61.67251	56.86886	56.07185	1.42		56.86886
Total	100.0000	108.44690	100.00000	100.00000			100.00000

I, the Clerk of the Legislative Body of the approved assessing unit identified above hereby certify that the legislative body determined on \_\_\_\_\_ specify date) base percentages, current percentages and current base proportions as set forth herein for the assessment roll and portion identified above.

*Anna Smith* Signature  
 City Clerk Treasurer Title  
 2/8/24 Date



**Housing Authority**

⇒ Last meeting was held on **January 24<sup>th</sup>**.

Next meeting is scheduled for **February 27<sup>th</sup>** at **7:00** at **Hillside Terrace**

**Tax Season Reminders for Veterans**

*Are you preparing to file taxes? The VA has some helpful reminders for Veterans and beneficiaries.*

- 
1. VA benefits are tax free.
  2. There is no federal income tax on VA insurance proceeds.
  3. Veterans with a service-connected disability rating may benefit from local property tax exemptions.
  4. You may qualify for free assistance with filing from MilTax or IRS Free File.

**Next SENIOR CLUB meetings are:**

**Feb 14<sup>th</sup> & 28<sup>th</sup> 100pm at the Fellowship Hall in West End.**

**ACCESS 23 IS STILL NOT ON THE AIR**

We are having difficulty in getting **Spectrum** to **rewire** the transmitting equipment in City Hall.

We **apologize** for any **inconvenience**.

This week's inspirational quote:

**"It is our attitude, at the beginning of a difficult task,  
which, more than anything else,  
will affect its successful outcome."** - William James

*"Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future." -JFK*

With no discredit to anyone...

**Jackie Smith** ran for Council in the 3<sup>rd</sup> Ward.

- Ms Smith has gone & continues to go to **Committee & Council Meetings**.
- **it appeared that Mr. Decker was not campaigning & apparently not interested in the Position.**
- **she came in 3<sup>rd</sup> which with Mr. Decker apparently not interested, actually received the next most votes.**
- **Mr. Oney, on the other hand, did none of those things . He can run for the seat in the Special election in November. That would be the most fair option.**
- **It takes me back to a previous meeting's quote, "Let us not seek the Republican answer or the Democratic answer, but the right answer"**
- **Think about it... Lets do the right thing for the people, not a party!**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT JERVIS FOR THE ACCEPTANCE OF A NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DRINKING WATER SOURCE PROTECTION PROGRAM TECHNICAL ASSISTANCE GRANT**

**WHEREAS**, the City of Port Jervis seeks grant funding that supports public projects; and

**WHEREAS**, the New York State Department of Environmental Conservation (NYS DEC) offered a no-cost technical assistance grant to eligible municipalities such as the City of Port Jervis to develop a drinking water source protection program, referred to as DWSP2, with submittal no later than November 14, 2023; and

**WHEREAS**, by resolution on November 13, 2023, the Port Jervis Common Council approved submittal with adherence to the DWSP2 Roles and Responsibilities, which were outlined the 12-18-month task calendar, while committing the appropriate time, outreach and time to the project; and

**WHEREAS**, via email on January 31, 2024, the mayor was notified of award of said grant with instructions (attached); and

**WHEREAS**, the Port Jervis Community Development Agency, City department or other entity will be designated the grant coordinator/administrator; and

**WHEREAS**, the City’s contribution consists of staff time, meeting rooms availability, and coordination;

**NOW, THEREFORE**, it is hereby,

**RESOLVED**, that the Common Council of the City of Port Jervis hereby approves the acceptance of the Drinking Water Source Protection Program grant known as DWSP2 for no-cost technical assistance by the New York State Department of Environmental Conservation no later than February 26, 2024; and it is

**FURTHER RESOLVED**, that the Mayor, or the Port Jervis Community Development Agency as his designee, or other designee as identified by the Mayor, is authorized to execute any and all documents in connection with the foregoing.

Motion by: J. Dennison      Second by: J. Vicchiariello

Jason Vicchiariello	1st Ward	AYE
Colin O’Connell	1st Ward	AYE
Maria Mann	2nd Ward	AYE
Misty Fuller	2nd Ward	ABSENT
Vacant	3rd Ward	
Jeffrey Rhoades	3rd Ward	AYE
Stanley Siegel	4th Ward	AYE
Jacqueline Dennison	4th Ward	AYE
Michael Hockenberry	Councilman-At-Large	AYE

2024-0212-013

PASSED AND ADOPTED on this 12th day of February, 2024.

Attest: Bobbie Jo Muller  
Bobbie Jo Muller, Deputy City Clerk Treasurer

SEAL

STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION

**NOTICE OF HEARING CANCELLATION**

CASE 7029 - Petition of the City of Port Jervis, pursuant to Section 91 of the Railroad Law, for an order of the Commissioner approving the upgrade of a private at-grade rail crossing at Fowler and Fourth Street, located on the Southern Tier, in the vicinity of Mile Post 87.23 (USDOT#925110S), in the City of Port Jervis, County of Orange.

PETITIONER'S REPRESENTATIVE AND ADDRESS: William A. Frank, Esq., Blustein, Shapiro, Frank & Barone, LLP, 10 Matthews St, Goshen, NY 10924.

RAILROADS' REPRESENTATIVES AND ADDRESS: Susan Sarch, Vice President and General Counsel, Metro-North Railroad, 420 Lexington Avenue, New York, NY 10170; and Will Miller, Government Relations Department Norfolk Southern Corporation, 650 W. Peachtree Street NW, Atlanta, GA 30308.

DEPARTMENT'S REPRESENTATIVE AND ADDRESS: Mark Noordsy, Esq., Senior Attorney, New York State Department of Transportation, Division of Legal Affairs, 50 Wolf Road, Albany, NY 12232

\* \* \*

**NOTICE** is hereby given that the public hearing in the above-referenced matter scheduled for Wednesday, February 14, 2024 has been adjourned at the request of the parties.

Due to ongoing discussions between the parties, the hearing has not been rescheduled at this time. Should a hearing date be scheduled in the future, a new notice of hearing will be circulated.



February 9, 2024

---

DUSTIN B. HOWARD  
Administrative Law Judge  
Office of Proceedings