

April 2, 2021

**Special Meeting-**

The special meeting of the City of Port Jervis Common Council was held via Zoom on Friday April 2nd, 2021 at 6:00 p.m.

**Pledge of Allegiance-**

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

**Attendance-**

All members of the Common Council were present except Stanley Siegel, Gerald Oney, Kristin Trovei and Domonic Santini. Also present were City Clerk Treasurer Robin Waizenegger, Deputy City Clerk Treasurer Bobbie Jo Muller and City Counsel William Frank

Meeting opened at 6:00 pm by Mayor Kelly Decker.

Kelly Decker:

It's Friday, April 2nd, 2021. I'll call the meeting of the Port Jervis Common Council to order. The flag is behind Lisa. If you can, rise for the pledge.

Kelly Decker:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Tim Simmons:

God bless America.

Kelly Decker:

So, the purpose of this meeting, actually, I'll do roll call first. Mayor Kelly Decker, present. Lisa?

Lisa Randazzo:

Councilwoman-At-Large, Lisa Randazzo, present.

Kelly Decker:

Thank you. Will?

Will Frank:

Will Frank, corporation counsel, present.

Kelly Decker:

April 2, 2021

Thank you. Regis?

Regis Foster:

Regis Foster, First Ward Councilman, present.

Kelly Decker:

Thank you. Tim?

Tim Simmons:

Tim Simmons, Fourth Ward Councilman, present.

Kelly Decker:

Maria?

Maria Mann:

Maria Mann, Second Ward Council, present.

Kelly Decker:

Thank you. Chandler?

Chandler Campbell:

Chandler Campbell, Second Ward Council, present.

Kelly Decker:

Thank you. And Robin?

Robin Waizenegger:

Robin Waizenegger. City Clerk-Treasurer, present.

Kelly Decker:

Okay. All right, so ladies and gentlemen-

Will Frank:

Mr. Mayor?

Kelly Decker:

... This all really started-

April 2, 2021

Will Frank:

Mr. Mayor?

Kelly Decker:

... Yes, sir?

Will Frank:

Just got a text from someone.

Kelly Decker:

Yeah?

Will Frank:

I don't know whose number it is, saying they can't join. They're having trouble.

Chandler Campbell:

It was Dominic.

Kelly Decker:

Yeah. That's Dominic.

Will Frank:

Okay.

Kelly Decker:

Dominic. We got it. Thank you. So, two days ago, I got a text from Orange & Rockland. Her name is Kelly Rolo. So, if you saw that email I sent today, the Kelly and Kellys going back and forth. So, Kelly Rolo is our representative now. She took over Eileen Sullivan's spot. And very nice girl, but she sent me the email that I sent to you earlier, basically saying that they are done with all the cast iron gas for their maintenance replacement program. And they're moving into steel, and they're going to be doing \$1.3 million going from the end of Ralph Street, down Erie to Liberty Street, and doing 32, I believe it is, cross sections. Immediately, my first take was, within the last few years, we've repaved Erie Street, and it's in mint condition, so I reached out to Jack. Jack says he believes that it was 11 years. I had him look. It actually will be eight years this coming year.

Kelly Decker:

Now, understand that except for our main thoroughfares-

Lisa Randazzo:

April 2, 2021

Mayor.

Kelly Decker:

...Yes?

Lisa Randazzo:

We have a citizen coming into the room. I'm just letting you know.

Kelly Decker:

Okay.

Lisa Randazzo:

Theresa Balogh. That's who it is.

Kelly Decker:

Okay. Thank you. Oh, perfect, because there's someone from Erie Street. So, the crux of the matter is that normally, it would be great in theory that we could blacktop streets every 10 years. The basic rule of thumb is after five years, the street can be worked on maintenance-wise. Obviously, if it's a new service, or there's an emergency service, they do it whenever. Whenever it is, but we try not to dig into it five years, but I realized that for a main thoroughfare, it's going to be 20 years just to replace, let alone something like Erie Street, because it takes a whole year's worth of CHIPs funds. You won't see that paid for at least, at least, 10 to 15 years.

So, for them to tear apart that street, basically what they do is, I mean, you can look at Canal Street as an example. They make the cut all the way down the street, and then they make the laterals. And so, it's okay when they first patch it. The problem is, is after a year or two, where they've dug, you'll get sink holes. And so, immediately, I said, "Absolutely not." So, I said, "The only way that you're going to do it," and you see on my email, "Is if you paved the street from curb to curb. Where you've dug, the whole street needs to be paved."

Well, because they don't have it in their project, they decided, "Well, we're just going to pull the project." So, I said, "Well, why don't I bring it to the council's decision and see? I don't want to be the sole person to say, all right, here's my reasoning why I would say no. It's not an emergency situation. The pipe that's being replaced is steel, probably 1950-ish is when that was in, where the cast iron was done in 1920."

But it's not an emergency, either. So, that's basically the situation we're at. And it's more like... Almost like, because Will said, "We can't poll the council." That's why I decided to hold a special council meeting, so that the council can decide, do you want me to go to an email and tell Kelly Rolo to move forward with it? Or you don't? I will tell you that I personally spoke with one person that lives on the corner of Erie Street. It actually won't affect their house, because their side street is where their gas main is. However, their garage is on Erie Street. And they said that they didn't have a problem with it. If Orange & Rockland would commit to making sure the pavement stays smooth for the next 15 years or 20 years until it's paved.

April 2, 2021

Do I think that they'll do that? I don't think that they'll make that commitment, but that's where it's at. So, any comments? Actually, you know what? Let's go to the public. Theresa, I was told that you're on.

Theresa Balogh:

Yes.

Kelly Decker:

Would you want to give your position? You live on Erie Street.

Theresa Balogh:

I do. Can you hear me, Mayor?

Kelly Decker:

Yes.

Theresa Balogh:

Okay. Well, I'm concerned about we just put in a new sidewalk not too long ago, and I'm concerned. And we also got a letter in the mail already from O & R, so yeah, I'm concerned that they're going to dig, and they're going to put things back, but it's never going to look the same, and that it's relatively a new sidewalk, so yeah, I'm concerned. I'm concerned about the dirt and the traffic and all that. So, I'm glad that you're reconsidering it, because I would say no. That would be my opinion.

Kelly Decker:

Okay. Thank you.

Tim Simmons:

Let me ask a question.

Kelly Decker:

Yes, sir?

Tim Simmons:

If we say no, what is the timeframe that they will push it off to?

Kelly Decker:

She didn't give me one. She says that they will just dump the project. Now, I'm going to tell you, obviously, in a corporation such as that, where they've timed out \$1.3 million for this project, and all of a sudden, they come back and say, "The city said no, so we're scrapping the project," they're not, it's a maintenance issue. So, they're going to have to keep the maintenance up. But I think if we were to do a

April 2, 2021

resolution to say, "No, we don't want you to do Erie Street at this time. What we want you to do is we want you to go to our DPW director and coordinate. If this is a maintenance thing, coordinate with our DPW director when streets are being done. If the gas main hasn't been replaced already, replaced the gas main on the streets before they're about to be done."

Kelly Decker:

I mean, that's my opinion, Tim.

Lisa Randazzo:

Mayor, I spoke to three residents prior to this meeting asking them their thoughts, giving them just that factual information, the amount of the project that Orange & Rockland was proposing for this trench line, that would be through from Ralph to Liberty, and then to the laterals, to the residences, and that they would only be paving those cross sections and the trench line of the whole street. And all three, I will tell you, did not agree with moving forward at this time of the project. And that's just coming from residents that actually live on Erie Street.

Regis Foster:

Now, is the trench line going to be in the middle of Erie Street or out of the side of Erie Street?

Kelly Decker:

So, how that works, Regis, and I don't have an answer for that. It's wherever the old line is, it's usually the opposite, because what they do is they put foam or something in the old line, and they run a new line. They don't tear up the old line. They leave the old line in there. At least that's definitely what they did in my street. In my street, they put the line in, and then they milled our street and repaved it, but not Orange & Rockland. It was set up with Vince 20, 25 years ago.

Regis Foster:

Well, then that's what I think should happen. We should write a letter, like you said, coordinate with Jack, because eventually the whole entire city has got to be done, and have them correspond with each other, and go through that way.

Kelly Decker:

Yeah, so they have replaced all of the cast iron. She told me that. All the cast iron from the 1920s has been replaced in the city. So, now they were moving to the steel lines that, "Aren't in that bad of shape," as she put it, but that they want to replace, because they want to make everything PVC.

Regis Foster:

Right.

Kelly Decker:

So, any other input or comments?

April 2, 2021

Tim Simmons:

I would be inclined to do it only if we can get a guarantee that from Ralph to Liberty, they would go curb to curb and replace it. That's the only thing that really makes sense to me. You put a strip that's-

... You put a strip three feet wide all the way down one side or the other of Erie, it's not going to be good. It's going to sink, as you said. And it's going to quite frankly look like hell.

Will Frank:

I was just trying to reach-

Kelly Decker:

Tim, and I asked. I'm sorry, Tim. I asked them that. And she said they would pull the project. They will not do it.

Tim Simmons:

Well, let them pull it then.

Will Frank:

I just tried to reach Jack, everybody, on his cell phone, just to see if he wanted to throw his two cents in this, but he didn't pick up.

Kelly Decker:

Yeah. And he was invited to this meeting as well.

Maria Mann:

Mayor?

Kelly Decker:

Yes, ma'am?

Maria Mann:

Are they expecting an answer immediately? I mean, obviously we're having this special meeting, but it's...

Kelly Decker:

Yes. She gave me until today to give them an answer.

Maria Mann:

She gave you until today?

April 2, 2021

Kelly Decker:

Yes.

Will Frank:

They initially wanted an answer yesterday, and we started having these discussions yesterday, and that's when the mayor and I said, "Obviously, we need to have some council involvement here." And we threw together this meeting, and the ....

Maria Mann:

I mean, in all fairness, it's not enough time to get, Lisa mentioned that she had spoken to three residents. We have one that joined the meeting now. Me personally, I'd like to have more input. I don't think that it's a great idea to rip up the road and only do partial repair and patch up because once you do that, it just causes more harm than good.

Will Frank:

Mr. Mayor, just for-

Kelly Decker:

Sorry

Will Frank:

... I'm sorry. Go ahead.

Kelly Decker:

Go ahead.

Will Frank:

Just for clarity-

Kelly Decker:

No, I was just going to say. I'm sorry. Go ahead, Will. Sorry.

Will Frank:

... I'll wait.

Kelly Decker:

Okay. So, just in response to that, Maria, what happens is if there were an emergency, and there needed to be a replacement, then they would do the emergency replacement, because they are allowed to do that. But this is just maintenance.



April 2, 2021

Maria Mann:

Right, I mean, it's not an emergency. We had an emergency on Front Street that they had to cut into the road, and driving on it is a problem.

Kelly Decker:

Right. And it's never going to be perfect.

Maria Mann:

Yes.

Kelly Decker:

Even when they clear it out, and they actually repave, because they'll pave that patch. Even when they repave it, five years from now, there'll be a divot there.

Regis Foster:

Right.

Kelly Decker:

I'm sorry, Will. Go ahead.

Will Frank:

No, I was going to ask, and I don't know if I saw this in any of the emails, the funds allocated for this project by O & R, are they just going to move them elsewhere, outside the city, or hold up? Or what are they going to do with that money?

Kelly Decker:

She didn't say. She said she would just, you saw. She'd just canceling the project. She didn't give me any specifics.

Will Frank:

I didn't know if they were going to...

Kelly Decker:

And I quite frankly would like to have the letter say...

Will Frank:

Jack is calling back.

April 2, 2021

Will Frank:

Hey Jack. Hey, it's Will, how are you? Good. We're having the Zoom special meeting right now. I'm going to mute myself.

Kelly Decker:

So, while he's talking to him, I just want to, I think that it'd be best, a letter coming from Will, our corporation counsel, saying, "Here's what we want you to do moving forward. We want you to work with our DPW director to see what streets we're replacing. And even if it's a street we're replacing two or three years down the road, and you want to do that, then that's fine. But not something that might take 10 or 15 years to replace."

Will Frank:

Folks, I have Jack, and I'm going to put him on speaker. So, in case anybody has any questions, or he can give his insight. Okay?

Kelly Decker:

So, I, Will, have one question for Jack.

Will Frank:

Wait, wait, let me put him on. Jack, can you hear me?

Jack:

I can hear you.

Will Frank:

All right. Can you folks hear Jack?

Tim Simmons:

Yes.

Kelly Decker:

Yep.

Maria Mann:

Yes.

Will Frank:

Okay. Go ahead.

April 2, 2021

Kelly Decker:

So, Jack, the question is, does Orange & Rockland work with you in these gas main replacements to say, "Hey, what are you going to be doing in the next year or two years to replace what streets, and those might be the streets we need to work on?"

Jack:

They do. I mean, that's why when they were doing the cast iron, we were working hand in hand, and when we're doing the steel. I mean, that's why this street has waited so long past a five-year moratorium to get this done. Back when this road was paved, when Vince was here. So, that's how long ago it was when this road was paved. So, that's why they jumped. After they got done doing the cast iron and replaced everything, they've jumped on to the bare steel. That's why they went to this section. I mean, it's just where they move to wherever they're at, in different parts of the city or different parts of the towns, and that's where they're working.

Kelly Decker:

So, real quick. The question is, do you know what streets you're doing this year, or what you have planned next year or the year after? And if so, have you worked with them in case any of them are streets that need to be replaced?

Jack:

I've been in contact. Me and Steve are still trying to look at the streets. We figured out up in the upper third ward, we're going to do some things. And yeah, we've been in contact with them, but before we solidify streets, we want to make sure everything that's done has a new gas main on it. So, yeah, we do it all the time. That's one of the reasons, when they years ago, they were very hot, and the Public Service Commission was very hot on cast iron. To my knowledge and what I've been told, all of the cast iron has been completed in Port Jervis. Now, the Public Service Commission is moving towards bare steel. And years ago, as you know, the council voted to put a moratorium in for five years. And that's why Orange & Rockland has held off on some of these streets until after the moratorium's done to replace things.

Jack:

I mean, like I said in my emails many times, and I mean, honestly, I don't have a horse in this game. I mean, it's really up to the council. I see it as a benefit to get these done, because I see all of the gas leaks that happen around the city. I can adjust. And this company that Orange & Rockland uses for patching is phenomenal. After this all got brought up, I went back to the acre. I went back into the upper third ward to check on the patches they did in the last couple of years. And I did not find one that had any issues whatsoever on it. I have more issues with my patching, because we don't have the paving equipment that these companies have to do it, but we do work with these guys continuously. Like I said, that's why the cast iron was done the way it was done.

Will Frank:

April 2, 2021

Jack, do you know where? What location on the street? Is it the center of the road they would be ripping up, or would it be towards the side? Toward the sidewalk?

Jack:

When they typically go out there, I will go out with them, and then we will pick the easiest path. Our streets are not easy, only because we have water, gas, sewer, and storm in them. So, we try to pick the easiest path that, one, has the most houses on it, because then you're on the short side of installing the gas main. You're not crossing over. I can say probably 70% of the services are sleeved, so they only dig at the main, and they dig at the curb, and again at the house. So, they sleeve the new gas services through the old seal. Doesn't happen on all of them, but it happens on a lot of them. So, yeah, we usually try to pick the easiest path where there's the least amount of utilities.

Will Frank:

Okay. I think Councilman Simmons may have had a question.

Tim Simmons:

Yeah. My question was, if we go ahead with the replacement of the gas on Erie, down from Ralph to Liberty, what's the timeframe that it would just be a path? Approximately, when would it be back to being repaved? How long a period of time would that be?

Jack:

Typically, the fall. They like to leave them sit for three months for settlement. It's all patched with blacktop, with a rough blacktop for the summer. And then, typically in the fall, the paving company comes back in. Actually, they were here the other day doing some that were done six months ago. So, yeah, they try to let them settle as much as they can before they commit it to a final pave.

Tim Simmons:

Okay. And then, once that happens, what would be the timeframe after that, when the street would be up to be redone, the whole she-bang?

Jack:

It could be 15 years, 20 years. I send emails out all the time, because they never update or upgrade the amount of money for CHIPs. So, we're limited on our CHIPs. So, it could be 15, 20 years before it's done again. So, it could be a while before we go back out. I mean, I'm to the point now where I'm repaving second streets from when I got hired back in the '80s. So, we have a lot of lane miles of road in the city. So, it takes a long time when we only spend \$300,000 dollars a year on paving them, because unfortunately, we don't put any of our own tax dollar into paving. So, it's all CHIPs money. We put in zero money from our own tax dollar into paving. It's all done from state money.

Tim Simmons:

So, in your considered opinion, Jack, if they were to do this and then patch it, they could do a decent job where we wouldn't be a year from now with a rut down the middle of the road that's all.

April 2, 2021

Jack:

In my opinion, absolutely not. Like I said yesterday, when this started up, I went and drove the entire acre where Titanic did last year. And I drove up in the upper third ward, where they did either spring of last year or the year before, I'm not positive when it was, and I ran across zero spots where the paving company had any issues. Zero. Like I said, I've run into more of my patches because we do things by hand. We don't have paving equipment like these companies do.

So, I see zero issues, but like I said before, I don't have a horse in this race. I mean, either way, I look at it as an upgrade to try to repair, because we do have a lot of leaks in the city. We have a lot of calls for gas smells all the time.

Tim Simmons:

Okay. That makes a difference for me. Thanks.

Jack:

Sure, no problem.

Will Frank:

Jack. Can you hang in here with us?

Kelly Decker:

All right. Anybody else? Anybody else have any questions?

Maria Mann:

Duration of the project? How many months is it going to take them to do this?

Kelly Decker:

I think it was on there. Nine months.

Jack:

When they come in and do this kind of job. Typically, it's three to four months. They can install a main in probably four weeks. And then, they typically do three to four services a day, because they install the entire main. They pressurize it, they gas it, and then they have to switch people over so they're not without gas. So, it's typically three to four months. I do know that Orange & Rockland has a large job in what they're going to do. I thought they told me 10,000 feet. So, that's a very large job to be doing, so I know they're going to try to push through this job so they can get over to Warwick. I think the reason they moved to here, because they've been working on Academy Avenue for the last six or seven weeks, trying to get gas up Academy Avenue. So, that's why they're coming here, because they were mobilized already.

Will Frank:

April 2, 2021

Right. And they're doing here, relative to Warwick, they're doing 2,600 feet. Right, Jack?

Jack:

I believe that's what it is. I don't have anything in front of me, but I believe that's what it is. I thought they had told me 10,000 feet over there. I know it was a large job over there.

Will Frank:

Than Warwick, yeah.

Jack:

Yeah. Correct.

Kelly Decker:

And Port Jervis is 2,600 feet. And they said in the email, it said nine to 12 weeks.

Jack:

How many weeks?

Will Frank:

Nine to 12.

Kelly Decker:

Nine to 12.

Jack:

Okay.

Will Frank:

It's about three, four months.

Jack:

Okay, four months. Three months, yeah. I mean, that's typical. It depends on the weather, too. If they have some bad weather or things to hold them up, but they're quick. Either one. I don't know who's doing the job. I don't know if it's Precision Pipeline or Titanic. I really don't know. Orange & Rockland contracted them.

Kelly Decker:

Titanium. Titanium is what it says.

April 2, 2021

Will Frank:

It's Titanium.

Jack:

Titanic.

Will Frank:

Titanium is doing the job here.

Jack:

Titanic.

Will Frank:

Titanic, whatever.

Jack:

Yep.

Kelly Decker:

Or Titanic or whatever. Yeah.

Will Frank:

So, that's where we are.

Kelly Decker:

All right. So why don't I just do a quick poll of the council. Tim?

Tim Simmons:

I would say yes, with what Jack has said. I think at this point, we have them go ahead and do it. My vote would be yes, then.

Kelly Decker:

Okay. Maria?

Maria Mann:

Sorry, I had to hit. I am going to say yes, just from the feedback that our director, DPW director, what he informed us. So, I'm a yes.

April 2, 2021

Kelly Decker:

Okay. Thank you. Chandler?

Chandler Campbell:

After hearing what Jack said, I'm also a yes.

Kelly Decker:

Thank you. Regis?

Regis Foster:

Yes, after listening to Jack, I feel comfortable. Yes.

Kelly Decker:

Thank you. And Lisa?

Lisa Randazzo:

I'm a yes. However, I really hope that Orange & Rockland, and I know they do these subcontractors, that this happened down my own street. They really need to make sure they notify the residents of what's going on. And I know they get some initial letters, but sometimes those initial letters are kind of vague, so I just really think they need to explain. And Regis, maybe some type of first ward meeting can be held so people actually know, because I know if it is right in the middle of the summer for nine weeks, people are going to be upset over that.

Regis Foster:

Absolutely. And thinking back on that, Lisa, can we-

Lisa Randazzo:

Sure.

Regis Foster:

... Can you give us a timeline when they are going to start this? Did they give you a start date?

Kelly Decker:

I will ask them, Reg. I'll ask her in my email.

Jack:

I honestly think they mobilized. Like I said, I wasn't at work today, but yesterday, I seen some equipment. And I think that's why the timeline is so quick, because I think they mobilized already to go up there.



April 2, 2021

Kelly Decker:

I think it's right away.

Will Frank:

Yeah, I thought I saw something like they were going to really start working on April 12th, which is a week from Monday.

Kelly Decker:

Exactly. That's what it said.

Will Frank:

So, yeah, it's coming. That's why they were pressing Jack and the mayor for such a quick response.

Kelly Decker:

An answer.

Will Frank:

All right, so...

Kelly Decker:

Okay. All right. Well, I will let Kelly Rolo know. And I will .....

Will Frank:

I think, Mr. Mayor. Mr. Mayor? I know you did an informal poll just now. Can we please have a formal vote?

Kelly Decker:

Sure. All right. So, do I have a motion to tell Orange & Rockland to move forward with their Erie Street construction?

Tim Simmons:

I'll move. So moved, Mayor.

Kelly Decker:

I have a motion by Mr. Simmons. Do I have a second?

Regis Foster:

Second.

April 2, 2021

Maria Mann:

Second.

Kelly Decker:

I have a second by Regis, Mr. Foster. All in favor?

Group:

*Chorus of Ayes.*

Kelly Decker:

Opposed? *Silence* Okay. So carried, thank you. And I will emphasize in my email to Ms. Rolo about our concern about the divots and watching that street, since it might not be paid for the next 15 years.

Regis Foster:

Right, because that was my big concern after hearing this.

Will Frank:

Jack, one second, Mr. Mayor, Jack wanted to say something. Go ahead.

Jack:

Mayor and the Council, I just want to let you know. I encourage all of you to go out on these streets that they have done in the past and look at them. Take a ride in the acre in the first ward and the upper third ward, and Ryantown. There's a lot of gas main they've replaced and patched. Myself and Steve talk about this pavement company all the time. These guys are top notch. Listen, I've got a stake in this city and I'm always going to have a stake in this city. And I don't want a bad job either. So, I've watched what they do, and they've had bad companies in the past, and at this time, they found somebody that's good. And hopefully, they hold onto them. Thank you.

Tim Simmons:

Thank you.

Kelly Decker:

Okay. I'll entertain a motion to adjourn the meeting.

Tim Simmons:

So moved.

Will Frank:

Thanks very much, Jack.

April 2, 2021

Kelly Decker:

Motion by Mr. Simmons. Do I have a second? Second by Miss Randazzo. Discussion? All in favor?

Group:

*Chorus of Ayes.*

Kelly Decker:

Opposed? *Silence* So carried. Thank you. Have a great day, everybody. Have a Happy Easter.

Meeting Adjourned at 6:30 pm.

Next Meeting is scheduled for 6:30 pm on April 12<sup>th</sup>, 2021 in-person at Council Chambers City Hall 20 Hammond Street, Port Jervis, New York.

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Robin Waizenegger  
City Clerk Treasurer