

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 Tuesday October 24, 2022, at 6:30 p.m.

Attendance-

Regis Foster	1st Ward	Present
Elizabeth Miller	1st Ward	Present
Maria Mann	2nd Ward	Present
Misty Fuller	2nd Ward	Present
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 Arrived at 6:37 pm

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-

Councilman-a-large Siegel led all present in the Pledge of Allegiance to the Flag.

Public Hearing-**Local Law 10 of 2022: Amend 535-87 Require Registration for Repair Shops**

6:32 pm – A motion was made by D. Livingston open the Public Hearing Second by M. Decker
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Discussion – T. Simmons commented that this law is intended to stop shops from opening without a license.

6:34 pm – A motion was made by D. Livingston to keep the Public Hearing open until November 14, 2022 at 6:30pm by M. Decker to await the response from Orange County Planning on the 239 filing

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Local Law 11 of 2022: Cannabis Legislation

6:35 pm – A motion was made by R. Foster to open the Public Hearing Second by T. Simmons
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Discussion – T. Simmons - This was discussed in Code to have control over dispensary location in the central business district. W. Frank- This is strictly for dispensaries not onsite consumption. The city council already voted not to have onsite consumption. Business owners will need to get a special use permit it is not an automatic use by right and there are restrictions.

6:34 pm – A motion was made by T. Simmons to keep the Public Hearing open until November 14, 2022, at 6:30pm by .D Livingston to await the response from Orange County Planning on the 239 filing

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Public Comment- None

Executive Session- 6:40 pm

A motion was made by T. Simmons second by R. Foster to enter into executive session based on Public Officers Law Article 7 105.1f – Personnel (x3) 105.1h – Legal Counsel (x2)

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

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

7:35 pm A motion was made by T. Simmons to return from executive session second by M. Decker

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Approval of Minutes-

- October 11, Motion by R. Foster seconded by E. Miller
AYE: 8 ABSENT: 0 NAYS: 0 ABSTAIN: 1 (Decker) CARRIED

Regular Business-**R. Foster - ADA**

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

R. Foster - Police -

- Motion to approve September 2022 monthly report. Second S. Siegel
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to appoint Kyle Mitchell JAB/Youth Detective effective 10.26.22. Second by D. Livingston
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

The next Police Committee meeting is October 27, 2022, at 6:15pm

E. Miller - Finance

- Motion to approve the October 24 Bills second by M. Newhauser
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve September 2022 Finance committee minutes. Second by S. Siegel
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to approve September 2022 Finance committee minutes. Second by S. Siegel
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Motion to extend City clerk Treasurer's probationary period to January 9, 2023. Second S. Siegel
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

The next Budget Workshop on October 26, 2022, starting at 6:00 pm

M. Fuller - FEM -

- Motion to approve Christopher D. Southard as a Driver for Ladder Co #1. Second T. Simmons
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Reminder that the Annual Roast Beef Takeout is on October 29, 2022, at Ladder Co#1 from 4:30pm – 7:00pm.
- The next FEM committee meeting is November 21, 2022, at 6:30 pm

M. Mann - Tourism-

Thank you, Mayor

Tourism has not met since their last meeting.

The Halloween Lighting Contest Winners for

Scary category

1st Place - 8 Gariss Street

2nd Place - 19 Prospect

3rd Place - 31 Ferguson Avenue -

Traditional category

1st Place - 56 Hudson Street -

2nd Place - 117 Franklin Street -

3rd Place - 63 Orange

Christkindlmarkt will be held downtown on Sunday November 27th from 10to 6pm applications are now available.

For additional information contact the city clerk's office or tourism chair Laura Meyer email:

tourism@portjervisny.gov

The next tourism meeting will be held on Wednesday November 9th at 7:00 pm here in the council chambers.

The Port Jervis Rotary club flags for heroes is accepting applications in the amount of \$50.00 to honor your personal hero. It can be a veteran, a member of the military, police, fire, other first responder, a teacher, coach, mentor, family member or anyone who has been a hero in your life. Proceeds fund Rotary scholarships and other community projects. Flags will be displayed until November 31st at the empty lot on Fowler Street. A dedication ceremony will be held on Saturday November 12th. For further information email tsmith.plumbing@gmail.com

Thank you, Mayor

M. Mann - IDA-

IDA has not met since their last meeting their next meeting will be held on November 21st at 6pm here in the council chambers.

M. Decker -Planning -

The Planning Board did not meet in October due to lack of agenda.

The next meeting is November 15, 2022, at 7pm

M. Decker -Zoning -

The Zoning Board has not met since its last meeting. Currently there is no new business.

Next meeting is November 1, 2022, at 7pm

D. Livingston - DPW-

- Garbage and recycling on the week of October 24th will be on its normal schedule The week of October 31st all garbage and recycling will be on its normal schedule. The weeks of October 24th and October 31st 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
- The week of October 31st loose leave pickup will start
- Pike St. sidewalk are ongoing any questions feel free to call 858 4001
- Motion to approve October 6, 2022, Committee meeting minutes M. Newhauser
 AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Next meeting November 7, 2022, at 6pm

D. Livingston - CDA

The next CDA meeting will be October 26, 2022, at 5pm

T. Simmons - Code-

- Hold over Local laws 9,10, and 11 until November 14, 2022, Common Council meeting

The next Code meeting will be November 2, 2022, at 6:30pm

M. Newhauser - Recreation-

- The 74th Annual Halloween Parade is scheduled for this Saturday, October 29th. Line-up will be at City Hall at 3:00 pm and the parade will kick off will be at 3:30 pm. Once again, the Elks will be co-hosting this event and will be awarding prizes for costumes and handing out candy to the participants. Shoprite of Matamoras is donating the apple juice and donuts and Fort Knox Storage will be on hand with give aways for the kids! The parade starts on Hammond St., in front of City Hall and ends at Farnum Park. Join us for some Halloween fun! Remember to dress festive.
- Little Chefs at PJ Rec classes continue at the Youth Center on Saturday mornings. Class time is 10:00 am-12:00 pm. This is a 5-week class for students ages 10-12 and will end on November 5th.
- This year's fall clean-up is scheduled for Saturday November 5, 2022, at 10:00 am. All volunteers are being asked to report to Veterans Park at Orange Square by 10 am. If we have a large turnout, we will send small groups to Farnum Park and possibly Church St. Park. If you would like to volunteer or know anyone that might be interested, please notify the Recreation office.
- The Youth/Community Center Recreation Room is now open under its Fall hours. The Rec Room is open 3:00pm-6:00pm. Teen Night made a comeback on October 7, after a two-year break. We plan to hold Teen Night every other Friday night. Teen Night will be held between 6-9 pm for Middle School students.
- Part-Time Cleaner at the Youth Center- Applications can be picked up and will be accepted at the Office of the Director of Recreation, 134 Pike Street Port Jervis NY or the City Clerk's Office, 20 Hammond Street Port Jervis NY until 3:30 pm on October 28, 2022. For more information contact the Recreation Office at 845-858-4045.

The next Recreation Commission meeting is scheduled for tomorrow Tuesday October 25, at 6:30 pm at

S. Siegel - Housing/Veterans

- Flu shots are available please call 845-856-5369
- The Veteran's Day parade is on November 11, 2022, with a 10:30am line up
- VFW 161 is hosting lunch from 11:00am - 1:30pm starting November 2,2022. Hot dogs/hamburgers \$6.00
- The second budget workshop is on October 26, 2022, 6pm council Chambers
- Seniors will meet on 10/26/2022 in the Fellowship Hall in West End
- The next Housing meeting will be on October 25, 2022, at 7pm Hillside Terrace

Public Comment - None

Mayor Decker**Announcements:**

- Trunk or Treat is on October 29, 2022, from 4:30pm – 7:30 pm Riverside Park
- The 2nd Budget Workshop is on October 26, 2022, at 6pm
- Election day voting is on November 8, 2022
- The Veteran's Day parade is on November 11, 2022, with a 10:30am line up
- Winter Parking pass is available at the clerk's office November 2nd. The season pass is \$40 before December 1st and \$80 thereafter.

- Consideration of the Resolution 2022-1024-052 2023 Holiday Schedule. Motion R. Foster Second E. Miller
AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED
- Accept Annie Foster's resignation from the Planning board – replacement to be announced at next Council meeting.

Motion to adjourn at 8:38 pm. Motion T. Simmons Second D. Livingston
AYE: 9 ABSENT: 0 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, October 24, 2022 - 6:30 pm Regular Session:

Pledge of Allegiance / Roll Call

Public Hearing:

LL 10 of 2022 MV Station Reg wNYS

Motion to Open: 2nd

Motion to Close: 2nd

LL 11 of 2022 Cannabis Disp Amend

Motion to Open: 2nd

Motion to Close: 2nd

Public Comment:

5-minute limit per person

BASED ON PUBLIC OFFICERS LAW ARTICLE 7

Executive Session:

105.1f - Personnel (x3)

Motion to Enter: 2nd

105.1f - Legal Counsel (x2)

Motion to Return: 2nd

Approval of Minutes:

October 11, 2022 - Common Council Meeting Minutes

Address Executive Session Material:

Business:

Foster: (POLICE/ADA) -

Police/ADA Update

Miller: (FINANCE) -

Bills to be Paid:

Motion: Miller; 2nd

Finance Update:

Permanent Clerk-Treasurer Appointment Laura Quick - 3 years

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 9 of 2022 Tax Cap Override

Motion: Simmons; 2nd

Consideration: LL 10 of 2022 MV Station Reg w NYS

Motion: Simmons; 2nd

Consideration: LL 11 of 2022 Cannabis Disp Amend

Motion: Simmons; 2nd

Newhauser: (RECREATION)

Recreation Update:

Siegel: (HOUSING/VETERANS) -

Housing/Veterans Update:

Public Comment:

5-minute limit per person

Mayor Decker -

Announcements: Trunk or Treat Oct 29 4:30pm-7:30pm Riverside

2nd 2023 Budget Workshop - Wed Oct 26th 6:00pm

2023 Holiday Schedule Resolution

Motion: ;2nd

Winter Parking Pass Announcement

Planning Board Resignation - No replacement until next Council Meeting

Adjournment:

Motion: ;2nd



CITY OF PORT JERVIS
PUBLIC HEARING

Date 10 / 24 / 22

LL 10
Dept LL 11

Name

Address or Phone Number

Name

Address or Phone Number

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CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 10 OF 2022

A LOCAL LAW AMENDING SECTION 535-87 OF THE CITY CODE OF THE CITY OF PORT JERVIS, NEW YORK TO ADD A SUPPLEMENTARY REQUIREMENT THAT MOTOR VEHICLE SERVICE STATIONS MUST BE REGISTERED WITH THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES AS A SITE DEVELOPMENT PLAN CONDITION

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 Port Jervis City Code Chapter 535 in order to require motor vehicle service stations within the City to be registered as a repair facility with the New York State Department of Motor Vehicles in accordance with New York State Vehicle and Traffic Law §215 and Part 82 of the Regulations of the New York State Commissioner of Motor Vehicles as a condition to site plan approval. The registration requirement for service stations is in the overall best interests of the health, safety and general welfare of the public as such facilities must abide by New York State requirements prior to maintaining and repairing vehicles that traverse local roads.

Section 2. Chapter 535, Article XVI Amended

The City of Port Jervis Code, Chapter 535-Zoning, Article XVI-Conditional Use Standards, §535-87 entitled “Motor Vehicle Service Stations” is hereby amended to add the following subsection “F”:

“F. It shall be a condition noted on every site development plan that no operations shall commence at the motor vehicle service station until the owner or operator of the station provides documentary evidence to the appropriate City officials (i.e. Building Department and/or Fire Inspector) that the station has been properly registered with the New York State Department of Motor Vehicles as a repair facility in accordance with New York State Vehicle and Traffic Law §215 and Part 82 of the Regulations of the New York State Commissioner of Motor Vehicles. This condition shall also apply to any subsequent individual or entity that utilizes the site as a motor vehicle service station following initial approval. Any such successor operator of the site shall have ninety (90) days from the date of transfer from the prior owner/operator to provide evidence of registration to the City.”

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 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.

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 11 OF 2022

A LOCAL LAW AMENDING CHAPTER 535, ARTICLE II AND ARTICLE IX OF THE CITY CODE OF THE CITY OF PORT JERVIS, NEW YORK TO ADD A NEW SECTION 535-38 ENTITLED “SUPPLEMENTARY REGULATIONS APPLYING TO CANNABIS RETAIL DISPENSARIES AND TOBACCO RETAILERS” AND AMENDING THE CITY OF PORT JERVIS TABLE OF USE AND BULK REQUIREMENTS

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

The State of New York recently enacted the Marihuana Regulation and Taxation Act (hereinafter the “Cannabis Law”), which, among other things, allows the retail sale of cannabis and cannabis products and provides for the licensing of cannabis dispensaries. The Cannabis Law also provides that “towns, cities and villages may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries * * * provided such law or regulation does not make the operation of such licensed retail dispensaries * * * unreasonably impracticable.” Pursuant to this authority, and in accordance with Section 535-2 of the City of Port Jervis Zoning Code, which enumerates as a purpose of the City of Port Jervis Zoning Code: “to serve the purpose of protecting and promoting the general welfare, which is intended to include the following ... the protection of the environment of the City as a whole,” This local law is enacted to allow the establishment of cannabis retail dispensaries in locations and manners consistent with the zoning and land use goals of the City of Port Jervis.

The City of Port Jervis Common Council further finds that in order to fully and properly protect the health, safety and general welfare of its citizens, tobacco retailers should also be regulated in a similar manner as cannabis retail dispensaries. It is the intention of this Local Law to produce reasonable regulations that apply to these similar industries within the City of Port Jervis.

Section 2. Purpose.

The City of Port Jervis Common Council hereby finds that the purpose of this Local Law shall be as follows:

- a. To provide for the placement of cannabis retail dispensaries and tobacco retailers in appropriate places.
- b. To minimize the adverse impacts of cannabis retail dispensaries and tobacco retailers on schools, and other places where the youth or other vulnerable populations commonly congregate.
- c. To regulate the siting, design, placement, security, safety, monitoring, and

modification of cannabis retail dispensaries and tobacco retailers.

Section 3. Amendments to Chapter 535

The City of Port Jervis Code, Chapter 535, Article II is hereby amended to include the following definitions to be incorporated in alphabetical order:

E-CIGARETTE or VAPE

Any electronic device composed of a mouthpiece, heating element, battery and/or other electronic circuit that provides a vapor of liquid nicotine, cannabis product and/or other substance that is sometimes mixed with propylene glycol by the user as they simulate smoking. This term shall include all such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, vapes or under any other product name.

CANNABIS or CANNABIS-RELATED PRODUCT

Any product containing marijuana, THC or CBD in any form or as the term is defined by Chapter 7-A of the New York State Consolidated Laws or the New York State Marihuana Regulation and Taxation Act.

CANNABIS RETAIL DISPENSARY

A commercial retail establishment operating under license of the New York State Cannabis Control Board, authorized to engage in the retail sale of cannabis products for off-site consumption, but in no case permitted or authorized to allow the on-site consumption of cannabis or cannabis-related products.

CBD

Cannabidiol, a naturally occurring compound found in the resinous flower of cannabis but not regulated as cannabis under the NYS Marihuana Regulation and Taxation Act.

SMOKE

The emission produced by the burning of a tobacco product or tobacco-related product, cannabis product or cannabis-related product or the heating of an e-cigarette which creates a vapor.

SMOKING

The burning of a tobacco or cannabis product or related product or the hearing or ignition of an e-cigarette which creates a vapor.

TOBACCO or TOBACCO-RELATED PRODUCT

Any manufactured product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, shisha, powered and/or dissolvable tobacco projects, liquid nicotine, vapes, and e-cigarette cartridges, whether packaged or not; any packaging that indicates it might contain any substance containing tobacco or nicotine; or any object utilized for the purpose of smoking or inhaling tobacco or nicotine products.

TOBACCO RETAILER

Any establishment which offers for sale or consideration, tobacco or tobacco-related products, including CBD or other substances, but not THC.

THC

Tetrahydrocannabinol or the main psychoactive compound in cannabis that produces the high sensation.

The City of Port Jervis Table of Use and Bulk Regulations is hereby amended to include the following Principal Use in its Central Business District to be listed after “Wholesale/retail auto parts store” with columns C through L to be the listed as “Pursuant to Special Use Permit by the City of Port Jervis Planning Board and in accordance with Section 535-38 of the Zoning Code and the NYS Marijuana Regulation and Taxation Act, as applicable:

Cannabis retail dispensaries

The City of Port Jervis Table of Use and Bulk Regulations is hereby amended to include the following Principal Use in its Central Business District to be listed after “Wholesale/retail auto parts store” with columns C through L to be the listed as “Pursuant to Special Use Permit by the City of Port Jervis Planning Board and in accordance with Section 535-38 of the Zoning Code:

Tobacco retailer

The City of Port Jervis Code, Chapter 535, Article IX is hereby amended to include the following Section 535-38 entitled “Supplementary Regulations Applying to Cannabis Retail Dispensaries and Tobacco Retailers”:

Section 535-38 Supplementary Regulations Applying to Cannabis Retail Dispensaries and Tobacco Retailers.

A. Applicability.

- i. These regulations shall apply to all structures and/or uses related to cannabis retail dispensaries and tobacco retailers. No cannabis retail dispensary or tobacco retailer shall be established in the City of Port Jervis except in compliance with the provisions of this chapter.
- ii. Every cannabis retail dispensary or tobacco retailer shall apply to the City of Port Jervis Planning Board for a Special Use Permit and Site Plan Approval for that use prior to commencing any work on the site related to the development of such a use. All such reviews shall be governed by all applicable sections of the City of Port Jervis Zoning Code, including, but not limited to Section 535-80 and other applicable provisions of the City of Port Jervis Code and City Charter.

B. Zoning Districts for Cannabis Retail Dispensaries and Tobacco Retailers.

Cannabis Retail Dispensaries and Tobacco Retailers shall only be allowed in the Central Business District (CBD) zoning district subject to site plan review and issuance of a Special Use Permit by the City of Port Jervis Planning Board and further subject to the regulations set forth in this section.

C. Other Location Restrictions for Cannabis Retail Dispensaries and Tobacco Retailers.

- i. The lot line of any property whereupon exists a cannabis retail dispensary or tobacco retailer shall not be located within a one hundred (100) foot radius of the lot line of any lot that is currently used or has the ability to be used for the following:
 - a. School;
 - b. Public parks;
 - c. Recreational facilities;
 - d. Playgrounds;
 - e. Child daycare, pre-k or nursery facilities;
 - f. Libraries
 - g. Churches, synagogues, mosques or other places of worship; or
 - h. Drug or alcohol recovery or rehabilitation facilities or other related health care facilities.
- ii. The lot line of any property whereupon exists a cannabis retail dispensary or tobacco retailer shall not be located within a one hundred (100) foot radius of the lot line of any lot that is currently used as a cannabis retail dispensary or tobacco retailer.

D. Special Use Criteria for Cannabis Retail Dispensaries; Tobacco Retailers. As part of any review by the Planning Board under this subsection, the following shall be submitted and/or considered by the Planning Board as part of its review of any special use permits for Cannabis Retail Dispensaries or Tobacco Retailers:

- i. Cannabis Retail Dispensaries and Tobacco Retailers must be fully enclosed and shall be located within a permanent building and may not be located in a trailer, cargo container, motor vehicle or other similar non-permanent enclosure.
- ii. No outside storage of marijuana, related supplies or promotional materials is permitted.
- iii. No smoking or consumption of any product containing cannabis or cannabis-related products shall be permitted on the premises of a cannabis retail dispensary. No burning of any product containing cannabis or cannabis-related products shall be permitted on the premises of a cannabis retail dispensary.
- iv. Each special permit use shall not include the display of signs, noise, fumes, or lights that will hinder normal development of the zoning district or impair the use, enjoyment, and character of adjacent land and buildings.
- v. The application shall include a site plan and fully dimensioned diagram or floor plan showing planned occupancy or use of all areas, including exits, fire prevention

- measures, windows, ventilation, and doors as well as any other factors determined to be necessary and appropriate by the Planning Board.
- vi. Security measures shall be implemented which are sufficient to ensure that no unauthorized persons can gain access to the building and outdoor activity areas. Such measures shall be described in detail in the special permit application.
 - vii. Subject to applicable law, as a part of any special use permit application to the Planning Board, copies of all information submitted to the State of New York in application for a license to operate under the Marihuana Regulation and Taxation Act shall be submitted as part of the special permit application.
 - viii. All special use permits issued under this Subsection shall contain a condition that the use shall not operate, and the special use permit shall not be valid, until the applicant has obtained all licenses and permits issued by the State of New York and any of its agencies.
 - ix. A special use permit granted under this Subsection shall have a term limited to the duration of the applicant's use of the premises as a licensed operator. A special use permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special use permit.
 - x. Any violation of this Subsection shall be grounds for revocation of a special use permit issued under this Subsection.
 - xi. A revocation of the respective license by the State shall be grounds for revocation of the special use permit.
 - xii. Hours of operation for these uses shall be set by the Planning Board in its complete and total discretion.
 - xiii. Posting of Signs:
 - a. In addition to other applicable sign regulations, it shall be a special use permit condition that no person or entity shall sell or continue to sell or distribute tobacco or tobacco-related products and/or cannabis or cannabis-related products in the City of Port Jervis unless a sign is posted at the point of sale in a conspicuous place that warns of the dangerous of such products, including, at a minimum the following statement:
WARNING: THE PRODUCTS YOU ARE ABOUT TO PURCHASE MAY CONTAIN NICOTINE, WHICH IS AN ADDICTIVE CHEMICAL.
 - b. No image depicting any part of a marijuana plant or any product or use of the marijuana plant shall be allowed on the sign.

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**

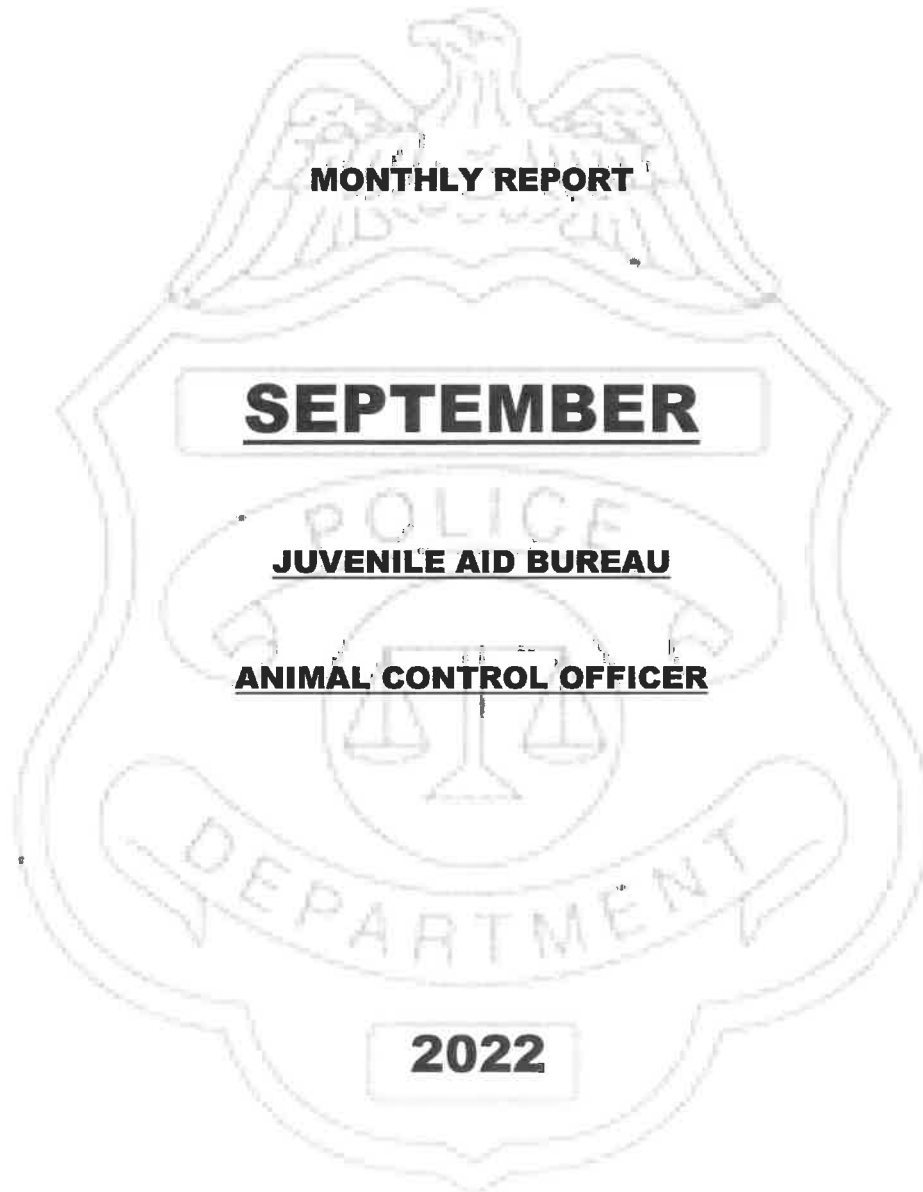
All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

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.

2022

PORT JERVIS POLICE DEPARTMENT



MONTHLY REPORT

SEPTEMBER

JUVENILE AID BUREAU

ANIMAL CONTROL OFFICER

2022

City of Port Jervis Police Department
Office of the Chief of Police

Chief of Police

WILLIAM WORDEN

**20 Hammond Street
Port Jervis, NY 12771**

**Tel : (845) 856-5101
Fax: (845) 858-4078**

E-mail: pjpolice@citlink.net

MONTHLY REPORT FOR THE MONTH OF SEPTEMBER , 2022

	<u>CURRENT MONTH</u>	<u>YEAR-TO-DATE</u>
TOTAL INCIDENTS FOR THE MONTH	851	8,305
TOTAL TRAFFIC STOPS	84	1,139
TOTAL TICKETS ISSUED FOR THE MONTH	163	2,285
TOTAL AUTO ACCIDENTS FOR THE MONTH	25	243
TOTAL MILEAGE ON PATROL VEHICLES	15,620	103,629
USE OF FORCE REPORTS FILED	5	45
TOTAL DOMESTICS FOR THE MONTH	22	304
ANIMAL CONTROL COMPLAINTS	26	229
PRISONERS DETAINED LOCALLY	21	122
TOTAL ARRESTS FOR THE MONTH (INCLUDES 14 FOR BENCH WARRANTS / OTHER AGENCY)	88	736

**SEE ATTACHED REPORTS:
JUVENILE AID BUREAU
ANIMAL CONTROL OFFICER**

REPECTFULLY SUBMITTED,

William Worden

**WILLIAM J. WORDEN
CHIEF OF POLICE**

REPORTED OFFENSES IBR SUBMISSION

OFFENSE	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Total
100-Kidnaping	0	1	0	1	0	0	0	0	0	2
11A-Forcible Rape	0	0	0	0	0	1	0	1	0	2
11B-Forcible Sodomy	1	0	0	0	0	0	0	0	0	1
11D-Forcible Fondling	0	0	0	0	1	3	0	0	1	5
120-Robbery	1	0	0	0	0	3	0	0	2	6
13A-Aggravated Assault	4	0	3	3	1	4	3	3	1	22
13B-Simple Assault	8	16	15	17	11	18	16	26	8	135
13C-Intimidation	1	0	1	3	2	5	4	3	3	22
200-Arson	1	0	0	0	0	0	0	0	0	1
220-Burglary/Breaking and Entering	3	1	2	2	1	1	1	0	5	16
23B-Purse-Snatching	0	0	0	0	0	0	0	1	0	1
23C-Shoplifting	2	1	0	0	2	4	1	0	0	10
23D-Theft from a Building	4	1	2	0	5	2	2	4	2	22
23F-Theft from a Motor Vehicle	0	2	2	1	2	0	2	0	0	9
23H-All Other Larceny	6	3	5	6	15	10	11	6	9	71
240-Motor Vehicle Theft	0	0	0	1	0	0	2	1	0	4
250-Counterfeiting/Forgery	1	1	0	2	3	1	0	1	0	9
26A-False Pretenses/Swindle/Confidence Game	1	0	0	0	0	0	1	0	1	3
26C-Impersonation	1	1	2	0	0	0	0	0	0	4
26F-Identity Theft	0	1	2	0	2	0	0	0	1	6
280-Stolen Property Offenses	1	0	1	0	0	0	1	0	0	3
290-Destruction/Damage/Vandalism of Property	5	7	13	11	11	17	11	11	12	98
35A-Drug/Narcotic Violations	40	24	12	5	4	8	10	4	11	118
35B-Drug Equipment Violations	4	5	2	0	0	0	0	0	0	11
36B-Statutory Rape	0	0	0	0	0	0	1	0	1	2
370-Pornography/Obscene Material	0	2	2	0	0	1	0	0	0	5
40A-Prostitution	2	1	0	0	0	0	0	0	0	3
520-Weapon Law Violations	3	2	5	6	2	5	5	2	5	35
90C-Disorderly Conduct	1	2	4	0	2	6	0	0	0	15
90D-Driving Under the Influence	7	10	12	8	18	8	20	12	13	108
90J-Trespass of Real Property	2	3	3	2	1	6	2	8	0	27
90Z-All Other Offenses	13	6	18	20	9	15	22	14	20	137
999-Do Not Count	1	1	1	1	2	0	1	0	1	8
Total	113	91	107	89	94	118	116	97	96	921

MOTOR VEHICLE ACCIDENTS

	<u>CURRENT MONTH</u>	<u>YEAR TO DATE</u>
PROPERTY DAMAGE (PDAA)	22	235
PERSONAL INJURY (PIAA)	3	8
PERSONAL INJURY (PEDESTRIAN)	0	0
PERSONAL INJURY (FATAL)	0	0
	-----	-----
TOTAL	25	243

TICKET SUMMARY

	<u>CURRENT MONTH</u>	<u>YEAR TO DATE</u>
PARKING TICKETS ISSUED	9	246
TRAFFIC TICKETS ISSUED	154	2,039
	-----	-----
TOTAL	163	2,285

PARTIAL TICKET BREAKDOWN

<u>TRAFFIC OFFENSE</u>	<u>TICKETS ISSUED THIS MONTH</u>
SPEEDING	23
NO/EXPIRED INSPECTION	13
EQUIPMENT VIOLATIONS	15
UNLICENSED / SUSPENSIONS	33
REGISTRATION VIOLATIONS	12
INSURANCE VIOLATION	10
STOP SIGN / RED LIGHT VIOLATIONS	14

City of Port Jervis
Monthly Juvenile Bureau Report
SEP 2022

HIGHLIGHTED RED DENOTES ACTUAL ARREST

Offense	R/C	A	1-9yr	M	F	10-12yr	M	F	13yr	M	F	14yr	M	F	15yr	M	F	16yr	M	F	17yr	M	F	White	M	F	Black	M	F	Hisp	M	F	BiRacial	M	F
Harassment 2nd	1	3	1	1		2	2																	2	2		1	1							
Petit Larcent	1	1																1	1					1	1										
Burg 3rd, Crim Mis 3rd, Petit Larceny	1	1				1	1																				1	1							
Total Criminal	3	5	1	1	0	3	3	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	3	3	0	2	2	0	0	0	0	0	0	0
Offense	R/C	A	1-9yr	M	F	10-12yr	M	F	13yr	M	F	14yr	M	F	15yr	M	F	16yr	M	F	17yr	M	F	White	M	F	Black	M	F	Hisp	M	F	BiRacial	M	F

Non Criminal	R/C	A	1-9yr	M	F	10-12yr	M	F	13yr	M	F	14yr	M	F	15yr	M	F	16yr	M	F	17yr	M	F	White	M	F	Black	M	F	Hisp	M	F	BiRacial	M	F	
9.41 MHL	1	1	1	1																							1	1								
F.J.N.S.																																				
Juvenile Contacts	5	6				1	1					2	2	2	2			1	1					1	1	4	2	2	1	1						
Runaways	3	3										3	1	2										2	2	1	1									
Total Non Criminal	9	10	1	1	0	1	1	0	0	0	0	5	1	4	2	2	0	1	1	0	0	0	0	3	1	2	6	4	2	1	1	0	0	0	0	
Offense	R/C	A	1-9yr	M	F	10-12yr	M	F	13yr	M	F	14yr	M	F	15yr	M	F	16yr	M	F	17yr	M	F	White	M	F	Black	M	F	Hisp	M	F	BiRacial	M	F	

Total Arrests 15

Disposition Of Juveniles	1-9yr	M	F	10-15yr	M	F	16yr	M	F	17yr	M	F
Handled within department and released	1	1		7	5	2	1	1				
Referred to Port Jervis Youth Center												
Referred to Family Court/ Probation intake				1	1		1	1				
Referred to Welfare Agency				3	1	2						
Referred to outside police agency	1	1										
Referred to adult court system												
Total	2	2	0	11	7	4	2	0	0	0	0	0
Total sum												15

Det. Pete Washalski

SEPTEMBER 2022 ANIMAL CONTROL REPORT

Dispatched/# Contacts	
Call Type	# Calls
Dog	22
Cat	9
Raccon	0
Bat/Bird/Snake	1
Wood Chuck	0
Skunk	1
Possum	1
Bear	0
Squirrel	0
Other	1
Total	35

Animals Euthanized	
Type	# Euthanized
Dog	0
Cat	0
Raccon	0
Bat/Bird/Snake	0
Wood Chuck	0
Skunk	0
Possum	0
Squirrel	0
Total	0

Brought to shelter	
Type	#TOT Shelter
Dog	2
Cat	1
Total	3

Emergency Vet Care	
Type	#
Dog	0
Cat	0
Total	0

Charges/Warnings					
Offenses		Disposition			
		Warnings			
Port Jervis City Code		App. Ticket	Written	Verbal	Total
PJCC 215-9	License and Tag Required	2	0	0	2
PHL 2141-1	Rabies Vaccination	0	0	0	0
PJCC 215-13	Dog Running at Large	0	0	0	0
PJCC 215-20	Nuisance By Animal	0	0	0	0
PJCC 215-12	Removal Of Feces Required	0	0	0	0
PJCC 215-14	Leashing Required	0	0	0	0
PJCC 389-2E	Animal in City Park	0	0	0	0
PJCC 535-4B	Maximum # of Domestic Animals	0	0	0	0
PJCC 215-27	Dangerous Dog	0	0	0	0

State of New York AGM - Article 26					
353	Cruelty		0	0	0
353-a	Aggravated Cruelty	0	0	0	0
353-b	Appropriate Shelter for Dog	0	0	0	0
353-d	Confinement of Companion Animals	0	0	0	0
355	Abandonment of Animals	0	0	0	0
	Total	0	0	0	0

Arrests	
Apperance Tickets Written	2
Ongoing Cruelty Investigations	1

TNR PROGRAM NUMBER OF CATS TAKEN TO VET	0
TNR PROGRAM FUNDS USED	0

Jeffery Ewing
Animal Control Officer

CITY OF PORT JERVIS

Accounts Payable

10/24/2022

1 General Fund		\$315,186.86
2 Water Fund		\$58,019.91
3 Sewer Fund		\$11,989.94
4 Capital Fund		\$682,782.96
5 Trust and Agency		\$9,168.75
	Total	<u>\$1,077,148.42</u>

GENERAL, WATER & SEWER FUNDS

NYS Employees Health Insurance	\$250,304.28
Orange Co Sanitary Landfill	\$25,127.49
Orange & Rockland/PJ Solar	\$40,927.21
SealCoat USA	\$11,000.18

CAPITAL FUND

Hufcut Concrete	\$90,450.00
Sullivan County Paving	\$476,440.15
Robert Green - Police 2022 Ram Crew Cab	\$31,540.62



PORT JERVIS FIRE DEPARTMENT

8-10 Orange Street, Post Office Box 1002, Port Jervis, New York 12771-1002



Telephone
(845) 856-4100

FAX
(845) 858-1064

Email
info@portjervisfire.org

First Assistant Chief
Anthony W. Fuller

Fire Chief
Keith K. Brown

Second Assistant Chief
Jeffrey D. Lewis

Department Chaplain
Rev. Matthew C. Newcomb

Department Secretary
William R. Werner

Department Treasurer
Robert A. Waligroski

Deputy Chief
James W. Rohner, Jr.

Deputy Chief
Jeffrey S. Rhoades

Deputy Chief
Dominic M. Cicalese

15 October 2022

Honorable Mayor Kelly B. Decker and
Members of the City Council
14-20 Hammond Street
Post Office Box 1002
Port Jervis, New York 12771

RE: Appointment of Driver
Christopher D. Southard

Dear Mayor Decker and Members of the City Council,

It is requested that Firefighter Christopher D. Southard be approved as a Driver for Maghogomock Hook Ladder Company No. 1. This firefighter was tested in accordance with the proper requirements such as EVOC, Pump Operator, Ladder Operations, etcetera, as appropriate to the respective vehicle by Deputy Chief Dominin M. Cicalese and was approved by the Fire Chief to operate this fire apparatus.

A copy of the member's driver license was provided on an earlier date. The firefighter's driver license information was previously entered into the New York State, Department of Motor Vehicles, License Event Notification Service (LENS). This service notifies the Department upon the expiration and renewal of a driver license; the suspension, revocation and restoration of a driver license; changes to a driver license class and privilege; traffic convictions, reportable accidents; driver license suspension or revocation orders, completion of a training course to reduce insurance premiums; changes to Haz-Mat license endorsements; and changes to MedCert status.

Respectfully submitted,

William R. Werner

William R. Werner
Department Secretary

Approved: Disapproved: Date: _____ Initials: _____



<https://portjervisfire.org>
<https://www.facebook.com/portjervisfiredepartment/>
<https://port-jervis-fire-department.business.site>



CITY OF PORT JERVIS

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

DPW Meeting Minutes
September 6, 2022



Steven Duryea- Director DPW
Wayne Addy-Asst. DPW Director

Denis Livingston- Chairman DPW Committee
Regis Foster -Member
Melissa Newhauser – Member
Mike Decker – Member

Meeting called to order at 6:02 PM by Chairman Denis Livingston

Pledge of Allegiance

Public Comment: none

Public Hearing: none

Attendance

Regis Foster- present 6:10
Denis Livingston-present
Melissa Newhauser-present.
Mike Decker-present
Elizabeth Miller-present
Steven Duryea-present
Wayne Addy-present
Laura Quick-present

NEW BUSINESS: Steve reported :

- That grass and leaf pickup will continue Mondays till completed
- Sewer lining has restarted
- That leaf pile is open on Saturdays 7:30 to 11:45.
- That sidewalks on Pike Street has started
- On status of Vac truck and how to proceed
- On water restrictions and how to proceed going forward
- On CDL training
- On Back hoe replacement.
- On fencing at the Tri State bridge

Discussion by all on water and sewer rates

OLD BUSINESS:

No Public Comment:

Next DPW Meeting will be Monday November 7, 2022 at 6:00 PM in the Council Chambers
Regis made motion to adjourn at 6:40 PM Seconded by Mike
All voted in favor

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT JERVIS
2023 HOLIDAY SCHEDULE**

WHEREAS, the City of Port Jervis Common Council is obligated by contract with the CSEA Union to schedule adhere to a specific holiday schedule

NOW, THEREFORE, be it resolved that the Common Council of the City of Port Jervis hereby approve the City Holiday below:

City of Port Jervis Holiday Schedule 2023

Day	Date	Holiday
Monday	2-Jan	New Year's Day
Monday	16-Jan	Dr. Martin Luther King Jr. Day
Monday	20-Feb	President's Day
Monday	29-May	Memorial Day
Tuesday	4-Jul	Independence Day
Monday	4-Sep	Labor Day
Monday	9-Oct	Columbus Day
Friday	10-Nov	Veterans Day
Thursday	23-Nov	Thanksgiving Day
Friday	24-Nov	Day after Thanksgiving
Friday PM	22-Dec	1/2 Day Christmas Eve
Monday	25-Dec	Christmas Day
Friday PM	29-Dec	1/2 Day New Year's Eve
Monday	1-Jan	New Year's Day

Motion : R. Foster

Second by: E. Miller

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

DATED: October 24, 2022


City Clerk Treasurer