

Special Meeting - City of Port Jervis Common Council :

A special 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 20, 2023, at 6:30 p.m.

Attendance-

Regis Foster	1st Ward	Absent
Elizabeth Miller	1st Ward	Present
Maria Mann	2nd Ward	Present
Misty Fuller	2nd Ward	Present
Denis Livingston	3rd Ward	Absent
Vacant		
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, Building Official David Rivera.

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

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

The sole purpose of this special meeting is to declare 100-200 Skyline Drive (SBL 7-1-1) a dangerous building.

Discussion:

- Letter dated October 20,2023 from Building Official David Rivera to the Mayor and Council discussing that the building meets all the criteria of Chapter 234 of the Port Jervis City Code entitled Dangerous Buildings
- Site review letter from City Engineering firm MHE Engineering Principal Michael Lamoreaux discussing the condition of the building.
- Correspondence from Timothy McColgan, Esq US Crane LLC that they have secured the necessary equipment and will conduct the remediation demolition.

Resolution 2023-1020-061- Authorizing the emergency demolition of the fire-damaged structure located at 100-200 Skyline Drive within the City Limits.

- Motion to approve Resolution 2023-1020-061 D. Livingston second by T. Simmons  
 AYE: 7 ABSENT: 1 (FOSTER) NAYS: 0 ABSTAIN: 0 CARRIED

6:36 pm - Motion to adjourn by T. Simmons second S. Siegel – all in favor.

Respectfully,  
 Laura Quick  
 City Clerk Treasurer

# City of Port Jervis, New York



Building Department Offices  
PO Box 1002  
20 Hammond Street  
Port Jervis NY 12771

(845) 858-4000 Ext 4080  
Fax # (845) 856-6913

[www.portjervisny.org](http://www.portjervisny.org)

Certified Mail #

October 20, 2023

100-200 Skyline Drive LLC  
180 Meister Blvd  
Freeport, PA 11520

**RE: 100-200 SKYLINE DRIVE, TAX MAP # 7-1-1, PORT JERVIS, NEW YORK**

Mayor & Council,

Please be advised that I, David Rivera, upon inspection of the above-mentioned address have found the wood framed structure also known as the lipstick manufacturing building to be severely compromised. Upon my reinspection on October 18, 2023, a large portion of the structure had collapsed before my eyes. The building poses imminent danger to the life and safety of the public and meets all the definitions and criteria of Chapter 234 of the Port Jervis City Code entitled Dangerous Buildings. It is my professional opinion and duty to inform you that this structure be demolished as soon as possible.

Sincerely,

David J Rivera  
Building Official  
City of Port Jervis

CC: Mayor Kelly Decker  
Will Frank, Esq.  
Wayne Addy  
Steve Duryea



20 October 2023

Port Jervis City Hall  
20 Hammond Street  
Port Jervis, NY 12771

ATTENTION: Dave Rivera, City of Port Jervis Building Official

SUBJECT: 100-200 Skyline Drive

Dear Dave,

On this date personnel from our office accompanied yourself and Wayne Addy, Deputy Director of DPW, for a site review of the referenced structure. The structure suffers from excessive decay, structural failures, and localized collapses. The building should be considered unsafe in accordance with the City Code. It is understood the Owner wishes to demolish the building as soon as possible and we concur with this effort once proper hazardous material controls are put into place. It is recommended the City notify the Owner of the City's willingness to entertain the issuance of a demolition permit upon the Owner engaging the services of a hazardous materials and environmental consultant to handle the oversight and control of the demolition and disposal. We would expect said consultant to advise on the presence of hazardous materials, abide by the NYS Labor laws, as well as all EPA regulations. This includes but is not limited to testing, demolition specifications, controls, monitoring, and verification of proper disposal of materials, and site restoration.

Respectfully submitted,

**MHE Engineering, D.P.C.**

A handwritten signature in black ink, appearing to read 'Michael Lamoreaux', written over a horizontal line.

Michael Lamoreaux, P.E.  
Principal

CC : Mayor Kelly Decker  
Will Frank, Esq.  
Wayne Addy  
Steve Duryea

F:\1993\93-80.52 Port Jervis Building Reviews\100-200 Skyline Drive\Correspondence\10-20-23 100-200 Skyline Drive Site Review.docx

**NEW YORK OFFICE**

33 Airport Center Drive, Suite 202, New Windsor, NY 12553  
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

**PENNSYLVANIA OFFICE**

111 Wheatfield Drive, Suite 1, Milford, PA 18337  
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

## Mayor

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**From:** Building Official  
**Sent:** Friday, October 20, 2023 8:22 AM  
**To:** Mayor; wfrank@mid-hudsonlaw.com  
**Subject:** FW: 100-200 Skyline Drive Remediation

Gentleman,

The forwarded email is from the owner's council.

David Rivera  
Building Official



City of Port Jervis

Email: [buildingofficial@portjervisny.gov](mailto:buildingofficial@portjervisny.gov)

Phone: (845) 858-4080 Ext. 4081

Fax: (845) 856-0322

**From:** Timothy P. McColgan <Counsel@uscranellc.com>  
**Sent:** Thursday, October 19, 2023 5:04 PM  
**To:** Building Official <buildingofficial@portjervisny.gov>  
**Cc:** Luis Mello <lmello@uscrlc.com>  
**Subject:** 100-200 Skyline Drive Remediation

Inspector,

Upon securing the necessary equipment and upon notification and authorization from the City of Port Jervis, we are ready willing and able to conduct the remediation demolition as directed.

If you should have any further questions and concerns do not hesitate to contact me.

Timothy P. McColgan, Esq.  
914-490-1604

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT JERVIS  
AUTHORIZING THE EMERGENCY DEMOLITION OF THE FIRE-DAMAGED STRUCTURE LOCATED  
AT 100-200 SKYLINE DRIVE WITHIN THE CITY**

WHEREAS, the commercial structure situated on the real property known as 100-200 Skyline Drive, Port Jervis, New York, Tax Map No. 7-1-1 (the "Property") was damaged by a fire; and

WHEREAS, the City's Building Official in accordance with City Code Chapter 234 entitled "Buildings, Dangerous", Section 234-13 entitled "Emergency Cases" has determined that the structure has deteriorated substantially since the fire and reasonably appears to pose an immediate danger to the life or safety of the public unless the structure is immediately demolished, and the Building Official has reported such facts to the Common Council; and

WHEREAS, the City Engineer has joined in the recommendation of the Building Official that the structure located at the Property is beyond repair due to the fire and should be demolished immediately and on an emergency basis due to the hazardous conditions that presently exist; and

WHEREAS, the Common Council agrees with the findings of both the City Engineer and the City Building Official; and

WHEREAS, representatives of the owner of the Property, 100-200 Skyline Drive LLC, have informed the Building Official that it: i) agrees with the findings of Building Official and City Engineer that the structure must be demolished on an emergency basis; ii) waives presentation of any notices pursuant to Chapter 234 of the City Code, including, but not limited to §§234-7 and 234-9; and iii) is prepared to undertake said demolition forthwith at its sole cost and expense,

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Common Council of the City of Port Jervis hereby accepts the findings of the City Engineer and City Building Official and finds that the structure located at 100-200 Skyline Drive, Port Jervis, New York is damaged beyond repair and should be demolished on an emergency basis pursuant to City Code §234-13; and it is further

**RESOLVED**, that in accordance with City Code Chapter 234, copies of this resolution shall be delivered to the owner of the Property and shall be filed in the office of the Orange County Clerk and the office of the City Clerk-Treasurer of the City of Port Jervis.

**PASSED AND ADOPTED** on the 20th day of October, 2023.

Motion by: D. Livingston

Second by: T. Simmons

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

**DATED: October 20, 2023**

  
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City Clerk Treasurer

