

APPROVED MINUTES
PORT JERVIS COMMUNITY DEVELOPMENT AGENCY
(PJCDA)
MEETING TRANSCRIPT for May 25, 2022
7:00 p.m.
Via ZOOM Conference (www.zoom.com)
Access Code/Meeting ID: 815 2438 2828
<https://us02web.zoom.us/j/81524382828>
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Kristin Trovei:

Okay. Welcome, everyone. It is 7:03. Excuse me for a second. My allergies are crazy. It is May 25th 2022, 7:03 PM. We're going start the Port Jervis Community Development Agency meeting. We'll do roll call.
Kristin Trovei. Mike?

Valerie Maginsky:

Mike?

Michael Talmadge:

Mike Talmadge, present.

Valerie Maginsky:

Regis?

Kristin Trovei:

Regis?

Regis Foster:

Regis, present.

Kristin Trovei:

Liz?

Elizabeth Miller:

Liz Miller, present.

Kristin Trovei:

Denis?

Denis Livingston:

Denis Livingston, present.

Kristin Trovei:

Matt?

Matthew Witherow:

Matt Witherow, present.

Kristin Trovei:

Nora?

Nora Goetz:

Nora Goetz, present.

Kristin Trovei:

Valerie?

Valerie Maginsky:

Valerie Maginsky, present. And I believe John is coming in.

Kristin Trovei:

[inaudible 00:01:06]-

John Russell:

John Russell, present.

Kristin Trovei:

We're all here. Oh, my gosh. Excuse me. All right. First up, the approval of the minutes from April 27th. Anyone have any questions or commentary?

Denis Livingston:

Yes. There's one spelling of my name is wrong in the minutes. It's spelled with two Ns.

Valerie Maginsky:

Okay.

Kristin Trovei:

Okay. Do you know what page that was on?

Denis Livingston:

I found it and now I'm looking for it again, but I'll let you know when I find it.

Kristin Trovei:

Okay. Can we have a motion to approve the minutes?

Denis Livingston:

I'll make that a motion after the change of that one item.

Kristin Trovei:

Okay. Motion by Denis.

Elizabeth Miller:

I'll second.

Kristin Trovei:

Second by Liz. All in favor?

Participants:

Aye.

Kristin Trovei:

Proposed. So carried. All right. Approval of the financial reports. Did everyone get the secondary email with the changes for those two pages?

Participants:

Yeah.

Kristin Trovei:

Valerie, would you like to go over the financials?

Valerie Maginsky:

Yes, thank you. We have postage for \$500. We have Staples at \$535.21, other office supplies \$73.49, combined fax charges at \$43.94, the city telephone bill at \$71.56, internet through Spectrum Charter, et cetera \$129.98, monthly booking for legal \$666.67, the month booking for bookkeeping \$1,054, Konica Minolta copier 45.50. We have salaries, MIKA Health Insurance. Sorry. FICA, retirement, disability, dental for a total of \$18,077.46.

Kristin Trovei:

All right.

Valerie Maginsky:

Okay. Moving on to projections. Everything expected to come in has been received, \$27,194.76. Estimated ending balance for agency, after agency bills are paid next month, \$530,680.18.

Participants:

Okay.

Valerie Maginsky:

Okay.

Participants:

Okay.

Valerie Maginsky:

Alrighty. Next would be the bank accounts. Let's see. Subtotal available after items that are allocated is \$1,648,614.84. Committed to Section 8 bills, let's see. Yes, that is \$248,501.51. Available to loans \$878,550.95 and available to agency bills is \$521,562.38. Any questions?

Participants:

Nope. No.

Valerie Maginsky:

Okay. Page one of budget, that goes over what was paid in the month of April. First page is salaries, dental, optical, zero, et cetera. Subtotal is \$19,652. On page two, we have general administration, which totals \$4,050. Subtracting out the insurance reimbursement, there was a total of... Sorry. Correction 21,000. Sorry. The April general administration was \$2,171 and the total budget expended was \$21,823. Okay?

Participants:

Okay.

Kristin Trovei:

Any questions on that? Okay. Next page.

Valerie Maginsky:

Income through the month of April. And that is including the, I'm going to call it a windfall from the RGMOB loan closing is \$108,274.

Kristin Trovei:

Any questions?

Participants:

Nope. No.

Kristin Trovei:

Okay. Is there a motion to approve the financial report?

Elizabeth Miller:

So moved.

Regis Foster:

So moved.

Kristin Trovei:

Motion by Liz and then second by Regis. All in favor?

Participants:

Aye.

Kristin Trovei:

Proposed. So carried. Thank you. Moving on to the Section 8 Program update.

Nora Goetz:

We had three contracts for May. We have one termination. We have two port outs, two port ins and zero vouchers on the street total waitlist is 436 and payments was \$116,642. The admin cost was \$61.39. FSS deposit was \$923. Mainstream HAP was \$21,317. The grand total for payables was \$138,722.39. Monies received from HUD on HCV monies was \$128,856, Mainstream monies was 22,544, total monies received was \$151,400. HCV admin money received was 17,431, Mainstream money admin was 2,438, total admin money received was \$19,869. FSS families with contracts is two, FSS graduates is one, total number leased is 185, leased Mainstream is 28, end of participation is one and zero HAP for over income is zero.

Nora Goetz:

The delayed biennial inspections is ongoing and the waitlist inquiry was mailed to an additional 18 families. The most recent inquiry yielded three new lease-ups for May and seven new lease-ups for June. An additional eight families will be briefed the beginning of June. Three families are in the process of being displaced because the agencies cannot meet the requested rent increases. The 2022 waitlist purge is in process. As paperwork is still coming in past the deadline, the waitlist update is delayed. On May 4th, this agency applied for 10 additional Mainstream vouchers and extraordinary administrative fees and received notification that our application was received and being reviewed. Closing date was May 6th 2022.

Nora Goetz:

We have one FSS graduate in May and here's a little bit of her information. This participant raised two children as a single parent. For the past six years they have been employed full-time by an area hospital. Their goal was to explore home ownership, get reliable transportation, and possibly a phlebotomy certificate. Although they would have the income for Section 8 home ownership, they decided to take care of an aging parent. They obtained reliable transportation and are looking into the phlebotomy certificate but just having a hard time finding a program that works with her full-time employment. They are leaving Section 8 assistance effective May 1st, and receive no other assistance. They earned an escrow account of \$5,357.

Nora Goetz:

But the really good news, the really big news is we have our first home Section 8 homeowner, and it's amazing. Val and I are going to do the preliminary inspection tomorrow. So a little background. The Housing Choice Voucher Home Ownership Program allows families that are assisted under HCV to use their voucher to buy a home and receive monthly assistance in meeting homeowner expenses. The HCV home ownership program is only available to families that are admitted to the HCV Program. Not all

public housing authorities administer the Section 8 Home Ownership Program. The PHA must request approval by HUD, and this agency got approval in 2016. To participate in the HCV Home Ownership Program, the family must meet specific income and employment requirements. The employment requirements does not apply to elderly and disabled families. To be a first time homeowner, as defined by regulation, attend and satisfactorily complete the pre-assistance home ownership and housing counseling program required by the PHA and meet any additional requirements set by the PHA.

Nora Goetz:

This is a process and it usually takes years before families are at the point where they can start looking for a house. For non-disabled families, the assistance lasts 15 years. So this participant was admitted to the PJCDA Program in May 2017 and was a pregnant single mother with three children ranging in age from five to 13. Her annual income was 25,000 from wages earned working consistently over 40 hours a week as a home health aide. When she heard about the Section 8 home ownership, her goal was to have a house for herself and her soon to be four children. She was willing to do whatever it took to have a house on her own. In October 2017, she entered the Family Self-sufficiency Program and since her FSS entry, through hard work and due diligence, she built up an escrow account of \$22,198, which is now available to use towards her down payment and closing costs.

Nora Goetz:

In March 2020, working closely with Eileen Clifford from PathStone, the home ownership counselor, she attended the First Time Homebuyer Education Class. And in order to become fully eligible for the program, she had to repair some minor credit issues, pay down her debt, and build up her escrow and savings. In 2021, she had another child to her household. Her son's friend, an older disabled teen who had nowhere to go, joined her family as a foster family. On May 12th 2022, M&T has approved her for a \$200,000 mortgage with a 5% down in the Section 8 subsidy and she began her housing search for a family of six. She's our first home buyer. She actually found a house. M&T upped her loan amount to what, 215, right? I think it's 215. So anyway, she found a house.

Nora Goetz:

The next step is Val and I will go and inspect it tomorrow, only we're not doing the big housing inspection. We're not certified for that. But the hope is that if there's anything major with the house before she puts out five, \$600 for the regular housing inspection, we'll catch it. So I'm really excited. This is my favorite program.

Kristin Trovei:

Yeah. So I'm very excited. We started this really after I jumped on and it's nice to see a program start and be successful the way that you want it to be. So hopefully, we can get some more.

Valerie Maginsky:

Yeah.

Nora Goetz:

I have another one in the pipeline. We might have another one. So we might have two back-to-back. We'll see. So-

Kristin Trovei:

It's great.

Valerie Maginsky:

So, Nora, you were saying that the support lasts 15 years, but you said based on previous experience, when you have a single mother on this program, they usually close out when?

Nora Goetz:

Around eight or nine years, they usually wind up over income for our program. That's been my experience when I was administering the program in the PathStone in Orange and we had homeowners. That's usually what would happen. By year eight or nine, they would be over income and doing it on their own anyway.

Valerie Maginsky:

Yay.

Kristin Trovei:

That is great. Does anyone have any questions about the Section 8 update?

Participants:

No. Nope. No.

Kristin Trovei:

Okay. Then I will entertain a motion to approve the Section 8 update.

Denis Livingston:

So moved.

Kristin Trovei:

Motion by Denis.

Michael Talmadge:

Second.

Kristin Trovei:

Second by Mike. All in favor?

Participants:

Aye.

Kristin Trovei:

Proposed. So carried. We'll move on to the Executive Director's Report.

Valerie Maginsky:

Okay. I'm just going to hit the highlights here. I haven't heard back from the Greenway Grant. They haven't come back to ask me for any additional information. WQIP, we are going to be moving forward with the DEC contract and MOU extension with OCLT as everything currently completes as of July 1. We are finalizing the Public Access Plan and moving forward with surveys, et cetera, through OCLT. The LSLRP, Lead Service Line Replacement Program, there's a contractor bid opening due to tomorrow afternoon at two o'clock. The Sidewalk Grant, I did receive the final information needed to bring the project up to date from the city clerk treasurer. That will be being sent to HCR in the next couple of days. Urban Forestry Grant, which was on hold, had moved through a number of different agencies, because the clerk treasurer questioned Sequoia Tree Services' eligibility as a Pennsylvania firm after passage of the Common Council Resolution. I thought we were moving ahead but have moved into another snag, another question, and I have to wait for our representative to return from vacation this week. She'll be in next week.

Valerie Maginsky:

The 2020 HCR CDBG Trenchless phase two had a number of meetings, discussed the setting up of a force account. In a kickoff meeting, we were talking about items that are necessary. One of them in the administrative plan, which is now a requirement, includes the addition of a local procurement policy, which is currently outstanding. Also, due to a lot of questions with regards to labor, materials, transportation, and cash flow it was decided to request a special workshop to go over the entire project from beginning to end, not just Trenchless 2, but the overall view of what is going on with the city's wastewater system. That was scheduled for Tuesday night and then it was decided to cancel because other things came in the window and there was a small room conflict.

Valerie Maginsky:

Biofuel, I sent the revised contract to city legal and engineering. Waiting for comments. Working Woodlands no updates. Pending EFC loan, which is part of the wastewater project. Bottom line, waiting for information from the City Clerk Treasurer's Office to be included in the engineering report, which is, has to go as the last item to EFC for review before they move it on to their committees. When we had our meeting early May, at that time the estimation was November, December closing. At this point, that's probably being pushed off once again. I had another call with EFC because they wanted to make sure that the city was applying for other grants under the current CFA round, which is done as of the end of July. And that is the next item right now. Because the wastewater system is on the state's intended use plan, the city may apply up to \$1,250,000 for a phase three. However, that application will not be considered unless we can show substantial progress by July 29th.

Valerie Maginsky:

Working with FEMA and Department of Homeland Security and Emergency Services, we're working on possible applications for replacement of the pumps in the underpass and supporting documentation could be added by Bon Secours, as in they were also considering a hazard mitigation application for the same programs. I don't know if they are moving ahead with that. Pending is a TD Bank Tree Days Project that's due June 1st, as is the Mitigation Grant due June 1st. And just to return to that, one other issue I'm having is documentation being available for the times that the underpass was closed due to flooding. When you get down to it, FEMA wants to see actual work orders and payroll documentation. Everything gets calculated and unless you have a BCA, benefits-cost analysis, that calculates at 1.0 or higher, the project is not eligible for consideration. So right now we are still looking for enough documentation to hit that.

Valerie Maginsky:

Jim Farr and I had a conversation with HCR. Not HCR, but New York DHSES yesterday and they gave us some advice as to how to fine tune the application and exactly what FEMA is looking for. But, again, I think it's going to be difficult to meet that criteria. With regards to the Tree Days Project, I was speaking with Jim Blanton today and the original mix of trees that were proposed probably will not work, because I got into the application today after a number of days of working to do so and they would only accept trees native to New York State. And then they have other criteria. They'd like to see a minimum of 30 trees and they would like to see that they have a minimum height at maturity of 35 feet. So planting locations and tree height is a difficult combination in Port Jervis, to make sure that the trees have enough space to move their little roots. So I was on the phone quite a bit with Jim today, trying to come up with some other options. So that's TBD.

Valerie Maginsky:

The review of the Skydyne River Road application is on hold pending legal input. I did cross paths with Tom McCarron this afternoon and they are waiting for some updates with regards to legal representation for the IDA, as their previous attorney is no longer practicing. There's a list of items and activities which I and Nora went through over the month. We received notice that the appropriations request to Congressman Maloney's office was declined. Still waiting for the AFG information to come back, to see if they... I don't know if they've actually started going through their grant applications.

Valerie Maginsky:

No updates on the Whitewater Kayak Park or Youth to Independence. With regards to agency administration we're going to be discussing immediately after I finish with this report, the remote meeting requirements, the Paris submission is still continuing. 2020 REAC submission is finally in HUD review. Information's been set forward to Lisa Artist, our HUD rep, as requested. The 2021 audit by Bonadio was initiated. All of our base information has been completely updated, uploaded by Robin Tobey. And our service contract was approved for 2022, fully executed and with a note to add termination clauses in the next version. That is now complete. So before we move on to remote meetings, does anyone have any questions on the report to this point?

Participants:

No. No. [inaudible 00:25:31].

Valerie Maginsky:

Okay.

Kristin Trovei:

There are none. Do we have a motion to accept the Director's Report? I figure the meeting thing would be a separate...

Valerie Maginsky:

Yes.

Regis Foster:

Yeah, I'll move it.

Kristin Trovei:

Motion by Regis to accept the Director's Report.

Denis Livingston:

Second.

Kristin Trovei:

Second by Denis. All in favor?

Participants:

Aye.

Kristin Trovei:

Proposed. So carried. All right. The meeting [inaudible 00:26:08].

Valerie Maginsky:

Okay. I'm going ask Matt. Matt-

Kristin Trovei:

It's very lengthy.

Valerie Maginsky:

Yes.

Kristin Trovei:

Yes. I admit, I didn't read it very thoroughly, because there is a lot.

Valerie Maginsky:

So Matt-

Matthew Witherow:

Okay. [inaudible 00:26:24]-

Valerie Maginsky:

Matt and I read it and then Matt is the expert on this one. So here we go.

Matthew Witherow:

The current law that allowed us to meet this way fully as a board expires June 8th. So our next meeting would have to return to an in-person meeting. There is a law that allows for a hybrid remote-type meeting, but essentially what is required is, to the extent possible, our board members would have to be physically present at a location that's open to the public. We would be required to have a quorum of members at that meeting location. The law does allow for several different meeting locations open to

the public, but that's not something that our agency has ever really had the need for. I think that is more along the lines for a statewide agency with meetings in different cities to be able to have a public forum.

Matthew Witherow:

With respect to the remote meeting portion, what the law does allow is under exigent circumstances it would allow for a board member to participate remotely in the meeting. Participating remotely means they would have to be seen on video, they would have to be able to be heard, and if there was going to be remote participation by a board member, we would then have to allow remote participation by the public, which would then trigger the requirement to have a public location for the public to participate remotely, if you follow that. And additionally, it would trigger the requirement for the transcription of our meeting minutes and the posting, as we have been doing under this remote version.

Matthew Witherow:

A board member who participates remotely is not counted towards a quorum. So if we did not have a quorum of board members at the physical location, we wouldn't be able to have a meeting. It seems, in my opinion, as though the benefit of this changed remote meeting law is outweighed by the onerous restrictions that are put in place. The bottom line is we have to meet in public and have a quorum in public. And as we used to do previously, as long as we had a quorum that the board member couldn't participate, they would miss the meeting and catch up when the minutes of the meeting were published. That's another issue that we'll talk about, the publication of the minutes.

Matthew Witherow:

But to have this hybrid virtual meeting capability, one of two things would have to happen. Either the city would have to pass a local law that would allow for it or we would have to have an independent website for our agency, which would then require us to post those meeting minutes, as well as a recording of the minutes, to the agency website. I think that's a bar, because we've always relied on the city website to upload our agency documents. In my opinion, it doesn't seem like it's going to be beneficial for our particular circumstances to make those changes and put those conditions in place to allow for the remote video participation of absent members.

Kristin Trovei:

I agree. I have no problem going back to regular meetings, like we did two years ago. I mean, the rec center space is very big. If people want to run out to all different corners of the room, that works. I don't know if the city plans on passing any sort of local laws regarding this.

Elizabeth Miller:

I wouldn't think so.

Kristin Trovei:

Yeah. So-

Regis Foster:

No, I don't think so.

Kristin Trovei:

Okay.

Denis Livingston:

I don't think so either.

Elizabeth Miller:

It looks like we'll be meeting in person from now on.

Denis Livingston:

I have no problem with that.

Kristin Trovei:

All right. I mean, if the city passes a local law, then we can piggyback off of that if that need arises, but I think it's just that I'm okay with meeting like we used to back in the day.

Denis Livingston:

I agree.

Elizabeth Miller:

Is anybody uncomfortable with it, so that any of us could bring it up to other council members? Or is everybody comfortable meeting in person? And this is not that you have to make it known to me, but I mean, if you want to speak with somebody privately. But if anyone's uncomfortable, definitely figure out a way to let someone know.

Kristin Trovei:

Okay. We don't have to decide on anything right now, right?

Denis Livingston:

No.

Kristin Trovei:

So -

Valerie Maginsky:

No. If anything, it would have to be by the time the agenda kicks out next time, so that the information can be provided properly. The minutes -

Kristin Trovei:

Well, yeah. Go ahead.

Valerie Maginsky:

Just to touch base on the minutes issue, a draft, or not reviewed, or proposed minutes of this meeting will be uploaded on the city website within two weeks. And that's going to happen continuously from here on in, and beyond that would be the agenda for the following meeting, which I try to get out the

Friday before. So the meeting location, the day is set currently per our scheduled adopted is June 22nd. The time would be 7:00 PM. And the only other indication would be where exactly or how exactly it would be held.

Kristin Trovei:

I mean, I think as of now we should probably plan on attending in person. If we need to make changes, then we can do that after the meeting. If someone doesn't want to come, I mean, they can not come. If the city ends up passing a local law, I think it'd be easier to do that as opposed to setting up our own website and doing all that. And I think our board is so small, to have a quorum at a public meeting anyway it'd basically be like everyone almost has to be there anyway.

Valerie Maginsky:

Yeah. We would be-

Kristin Trovei:

It just seems like a lot of extra effort for a smaller board like us. I understand it for other spaces, but I think in our situation I don't really think it's worth our hassle.

Valerie Maginsky:

Okay.

Participants:

I agree with [inaudible 00:34:39].

John Russell:

This is John. I don't disagree with that, but I will not be attending meetings in person. I'm still working from home. I think it would be a stretch for you to say it's okay for me to go to a meeting in person and not be going to meetings at work. So I'll probably have to resign, which is okay. I don't expect anybody to jump through hoops of fire for that.

Kristin Trovei:

Well, you can still join in via phone. It's just that your vote really wouldn't be counted towards anything, right? Because if you're not present at the meeting, it doesn't count towards the quorum. But you can still listen and participate.

John Russell:

Yeah. I mean, I don't have to do anything definitely immediately, I guess, but if it comes to the point where you really need to have somebody in person to vote, I guess we'll see how that goes. I mean, that's really...

Denis Livingston:

The trouble is, John, with your experience that you'd be really missed, so I don't want to see that route go. You know?

John Russell:

Well, thank you. I appreciate that. But like I said, my situation, I'm working from, have been for over two years, and I'm enjoying that, the luxury of not having to commute to work. And part of the reasons I have not been eating out inside restaurants, I have not been doing any of those things, so I have not been attending meetings in person, because we have had directors coming into the board meetings. And our president is now sick with it. He just got it this week from his son. He brought it home from the school. We were in close quarters there. So [inaudible 00:36:24] not because of me. I mean, just because my wife is on immunosuppressants and I certainly don't want to bring it back to her from a meeting. But I'm not in contact with any of those folks and whatever. I think I would survive, but she's on immunosuppressants and I'm just not going to take that risk.

Kristin Trovei:

That's understandable. I appreciate that. But I don't think you can leave so easily or quickly.

John Russell:

(laughed).

Kristin Trovei:

I know what you're doing [inaudible 00:37:03]. I mean, this is something that we don't have to... There's no deadline to decide. We can be fluid with it, as far as I understand it. So if we need to make adjustments, then we make adjustments. The state might change their mind too. Who knows? I mean...

Denis Livingston:

Yeah.

Kristin Trovei:

They're always -

Denis Livingston:

With the uptick that's going on in New York City, they may change their mind again. So...

Regis Foster:

That's right.

Kristin Trovei:

Yeah. So, okay.

John Russell:

All right. Well, I'll be on the phone tentatively the next time. If anybody feels like that's not appropriate down the road, don't feel like you're... I'm not going to take it personally. It's just I get it.

Kristin Trovei:

Understood. All right. Is there anything else to discuss before we go into executive session?

Valerie Maginsky:

No.

Kristin Trovei:

Okay.

Valerie Maginsky:

And-

Denis Livingston:

Well, I do have the page number, if you want it, Valerie.

Valerie Maginsky:

Okay, Denis. Got it. All right.

Denis Livingston:

All right. It's page 16.

Valerie Maginsky:

Sixteen. I'll make that correction. Thank you.

Denis Livingston:

Thank you.

Kristin Trovei:

Okay. I'll entertain a motion to go into executive session at 7:41 PM.

Regis Foster:

So moved.

Denis Livingston:

Second.

Kristin Trovei:

Motion-

Nora Goetz:

Good night, everybody.

Kristin Trovei:

... by Regis -

Participants:

Good night, Nora. Good night. Good night, Nora.

Kristin Trovei:

... seconded by Denis to go to executive session. All in favor?

Participants:

Aye.

Kristin Trovei:

Proposed. So carried. I'll wait for Valerie to turn off the various recording devices.

Elizabeth Miller:

... recording.

Valerie Maginsky:

Okay.

Kristin Trovei:

Okay. It is 8:21 PM. I'll entertain a motion to come out of executive session.

Elizabeth Miller:

So moved.

Regis Foster:

So moved.

Kristin Trovei:

Motion by Liz, a second by Regis. All in favor?

Participants:

Aye.

Kristin Trovei:

So carried. We have no action items coming out of executive session. The next meeting is scheduled for June 22nd 2022. As of this time, it will be at the Youth Center. If that changes, we will let everyone know. And that will also be at 7:00 PM. And if there is nothing else, I'll entertain a motion to adjourn.

Denis Livingston:

So moved.

Kristin Trovei:

Motion by Denis.

John Russell:

Second.

Participants:

Second.

Kristin Trovei:

Second by John, I think.

John Russell:

Yep.

Kristin Trovei:

All in favor?

Participants:

Aye.

Kristin Trovei:

Opposed? Okay. Thanks, everyone. Have a good weekend.

Participants:

Good night, everyone. Good night. Good night, everybody.