

April 26, 2021

**Regular Meeting-**

The regular meeting of the City of Port Jervis Common Council was held in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Monday April 26th, 2021 at 6:30 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 Regis Foster and Chandler Campbell. Also present were City Corporation Counsel William Frank, City Clerk Treasurer Robin Waizenegger and Deputy City Clerk Treasurer Bobbie Jo Muller. City Legal Counsel was absent.

Meeting opened at 6:30 pm by Mayor Kelly Decker.

**Executive Session –**

A motion was made to adjourn to Executive Session by Dominick Santini and seconded by Lisa Randazzo for the purpose of discussing the following items:

105.1f – Police department Hiring and Promotions

105.1e – Contracts - Police Superior Officers

PBA

Department Heads

105.1f – Personnel Issue

105.1f – 61 Front Street requests

105.1f – City Clerk Treasurer Hiring

105.1d – NYS Dept of Transportation Dial-A-Bus

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

Meeting adjourned to Executive session at 6:32 pm

Meeting Reconvened at 7:38 pm

Motion to reconvene the meeting to regular session made by Lisa Randazzo and seconded by Dominick Santini.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

**Presentation – Carbon Positive Port Jervis by 2026 – Introduction by Valerie Maginsky PJCD Director**

On February 17th, I received an email from Mayor Decker in which he asked me to follow-up with Mr. Shannon, who had emailed him the night before.

Here now in mid-April, just two months later, I can honestly say I have already learned a lot from Jeremy Shannon and from the people who choose to work with him. They are movers and shakers; people who know how to get things done.

Jeremy Shannon is a Registered Architect and Director of Sustainable Design and Resiliency for a large public agency in NYC.

Prior to working in the Public sector, he was the owner of a design-build architecture and construction company. Jeremy is developing this Carbon Positive Alliance for Port Jervis, however as a volunteer and local area resident. He is excited to bring his more than twenty years of sustainable building design and planning experience, to build on the initiatives that Port Jervis has already begun, to create a strong local economy aligned with New York State's climate action goals.

And here we are to talk about that project, Port Jervis Carbon Positive by 2026.

Before going any further, the title begs the question: what is carbon positive?

We humans eat food, breathe the air, drive vehicles, build buildings, farm croplands and manufacture and transport goods.

Every activity produces carbon. Quite simply, to be Carbon positive means that more carbon will be captured than released into the atmosphere and oceans.

Since I arrived at the PJCD in 2014, the City and volunteer groups have been working hard to revitalize the city based on natural abundance that surrounds us. One of our objectives has been to become a premier internationally known for-season outdoor recreation tourist destination.

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With that being said, we understand the necessity and advantages of combining ecological stewardship with economic objectives.

We are not a wealthy community, and as such we work hard to leverage scarce resources including time, money and labor. First to my mind is the Port Jervis Outdoor Club, a volunteer 501©(3) organization that built and maintains approximately 60 miles of hiking and biking trails in the city's watershed properties.

They built the pump track in Riverside Park which will soon also have a disc golf course nearby. Because of the cooperation between the city and this volunteer organization, thousands of people have been drawn to visit us.

Thinking along the ecological and economic lines of thought, the City installed a solar array to support municipal buildings. It is working to install LEDs in municipal streetlights.

It was Orange County's first Greenway Compact Community and first Complete Streets community.

It has an established farmers' market and at least two community gardens.

It is now working on its second NYS Urban Forestry grant.

It is its 33-mile sewer system through a highly cost-effective and efficient trenchless sewer repair process.

It recently passed a Comprehensive Plan and new zoning code that contains the internationally recognized Dark Skies initiative which seeks to reduce light pollution.

It is working with the Nature Conservancy on a Working Woodlands program that will provide the city with some \$500,000 in revenue for sequestering carbon on its watershed lands.

In the same vein of thought, this project, Port Jervis Carbon Positive by 2026, will include expanded city and area participation including for-profits, not-for-profits, and volunteer groups.

As there is a need, but not a necessity, for municipal participation, we hope that the City of Port Jervis will support and partner in this program. For we think by doing so, Port Jervis will distinguish itself from other municipalities within Orange County and New York State in the coming competition for project funding.

I am now happy to turn the presentation over to Jeremy Shannon.

Presentation by Jeremy Shannon

*Presentation on separate pages attached to minutes from PDF file Carbon Positive Presentation 04262021*

There are a number of volunteers coming forward for various projects including a Buy Local campaign, possibly starting a food co-op, planting pollinator gardens and so forth.

More complicated and specific to the city, will be consideration of programs in the private and governmental spheres which will require some investments, sometimes it may be some seed money but most of the time, it will be time.

Clerical time, building department training time, Code Committee review of suggested codes as suggested by New York State, NYSERDA. Advertising RFP's, etc.

We are in communication with Carla Castillo, Deputy Executive Director and Clean Energy Communities for the Hudson Valley Regional Council headquartered in Newburgh. There are a number of grants available through which actions taken and documented result in monies which are then used for the next project. As other communities have been working already on this process, time is of the essence.

In the coming weeks we will be bringing you a resolution of support to consider and projects to consider.

Every project suggested will be thoroughly researched for costs and costs advantages.

**Public Hearing – none**

**For the Good of the City (Public Comment) –**

**Robin Waizenegger** – The City Clerk Treasurer gave her farewell speech due to upcoming retirement on Friday April 30<sup>th</sup>, 2021.

I just wanted to thank all of the citizens of Port Jervis for the 16 and a half years I have spent here with you as your City Clerk Treasurer.

I am not sad to be leaving the work behind, but it is sad to think that I will not be seeing as many citizens on a regular basis as I do now as each and every member of the City of Port Jervis, I have met has contributed their own brand of uniqueness to the City.

I do have to express my sincerest thanks to some very special people.....

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To former Mayor Gary LoPriore who hired me even after I confessed that as a high school student from Middletown, I was involved in turning the white chalk on Glenette field blue for a Bell Game.

To Kelly Decker for keeping me moving these past few years as he is truly the Energizer Bunny with a never-ending supply of energy to put into advocating for the City.

To all of my Finance Committee Chairpersons, Marianne Schultes, Stephen Conklin, Frank Bell, Robert Ritchie, and Kristin Trovei I give special thanks for their willingness to learn Government finance and accept probably the most stressful committee appointment going. Not only do they have to deal with the taxpayers about their money they have to deal with me giving them financial news from NYS which generally is never good news.

I have also worked with a lot of good fellow employees, Sandy Decker who started with me as a Deputy and became a good and true friend over the years, Ex Police Chief Craig Cherry who was smart enough not to give me a gun and his wife Terry who always made Wednesday's fun. Current Police Chief Worden who I can always count on as a sounding board. And the current Clerk's office crew, Jen, Dottie, Suzanne and Bobbie Jo.....which I must say is the best group of employees you could ask for.

There are also many outside agencies and companies we do business with where shared experiences have brought me together with some great people all across New York and even as far reaching as Minnesota.

Again, while it is hard to say farewell to those you work with it will not be hard leaving the work and the auditors behind for the golf course.

Thank you, Port Jervis for the memories.

**Frank Steffan** – Mr. Steffan indicated he is from the 4<sup>th</sup> ward and he wants to keep the positivity going. He is encouraged by the progress on the annexation and the carbon positive movement. He is encouraging the City to use positive business practices in continuing to improve city codes by being proactive rather than reactive in specific with stormwater management. He expressed his desire to have no cancelled meetings and that when there are not items for approval that code review can be done during these meetings to improve our regulations. He indicated that his background is in Hazmat operations and questioned the use of performance and security bonds.

**Barbara Marselak** - She expressed her excitement at the upcoming City-Wide Yard Sale as a community event. She inquired about the City having a spring/fall cleanup. She also expressed concerns about trash and debris by the Towpath in both the volume of the debris and the types of items included discarded pharmaceutical containers. Ms. Marselak is also for forward progress but feels that there are pending items in the City that need to be resolved promptly.

**James Blanton** – Mr. Blanton expressed his support for the Carbon positive initiative and the coordination of efforts towards a common goal and the encouragement of volunteerism of citizens. He has been surprised by the strength of support for this type of initiative.

**Cory Puopolo** – He indicated that he is waiting for items addressed in executive session.

**Minutes Approved** - A motion was made by Gerald Oney and seconded by Stanley Siegel to approve the minutes of the April 12th, 2021 regular meeting.

AYE: 6 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN: 1 (Santini)

A motion was made by Timothy Simmons and seconded by Lisa Randazzo to approve the minutes of the April 15th, 2021 special meeting.

AYE: 6 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN: 1 (Trovei)

**Executive Session Items** – A motion was made by Gerald Oney and seconded by Lisa Randazzo to allow Orange & Rockland utilities at 61 Front Street to move a gas line through the promenade and allow the Mayor to execute necessary agreements with Orange & Rockland for same.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

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A motion was made by Gerald Oney and seconded by Dominick Santini to allow the trenching at 61 Front Street in the street for the installation of utilities and other work as necessary with repairs to the paving to be a 10-foot area on both sides of the trench curb to curb and authorizes the Mayor to execute any easements of documentation as necessary between the City and the utility company and/or developer in relation to the aforementioned work.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

The Mayor is ordering a Special Council Meeting to be held on Wednesday May 5<sup>th</sup> at 6pm for the purpose of conducting interviews with final candidates for the City Clerk Treasurer position. He informed the public that this meeting will be conducted in executive session.

A motion was made by Timothy Simmons and seconded by Gerald Oney to authorize City Corporation Counsel to commence and Article Section 78 action with respect to the Dial-A-Bus program against the NYS DMV with respect to the decision of the appeals unit regarding fines against the City for failure to file appropriate paperwork and to seek relief through the courts for the payment of the fine which the City must pay.

As discussion City legal counsel indicated that this matter will be covered within his retainer other than the filing fees and process server fees. For the public this is to seek relief for fines assessed in the amount of \$13,500 which we believe was improper.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

### Business:

**Mr. Foster** – A motion was made by Lisa Randazzo and seconded by Kristin Trovei to approve the April 15<sup>th</sup> Police Committee meeting minutes.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

Ms. Randazzo reviewed the highlights of the report for all present.

A motion was made by Lisa Randazzo and seconded by Stanley Siegel to increase the number of hours that the crossing guard will be at the Port Jervis Middle School.

As discussion Mrs. Trovei indicated that the additional hour will be covered by the reduced number of hours due to the pandemic and remote schooling this year but will be an increase to next year's budget.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Lisa Randazzo and seconded by Gerald Oney to approve a waiver of requirements to issue a taxi license to Joseph Durbin after substantial review of his application and background information.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Lisa Randazzo and seconded by Kristin Trovei to approve the permanent appointment of Seth Mortensen effective April 27<sup>th</sup>, 2021.

Mayor Decker indicated that he is an outstanding officer and Mr. Simmons stated that he is a good person.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

Aa motion was made by Lisa Randazzo and seconded by Timothy Simmons with regrets to accept the retirement letters from Sargent Michael Worden effective 5/27/2021 as his last day of work and Sargent Kevin Reilly effective 6/4/2021 as his last day of work.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A reminder was given that Sargent Michael Myers' last day of work will be May 4<sup>th</sup> and that there will be a walkout at 2:45pm.

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There will be a pop-up food pantry on 5/21 from 11-2 pm on 4<sup>th</sup> Street at Riverside Park sponsored in part by the Port Jervis police department.

The next Police committee meeting will be 5/20/2021 at 6pm.

The next ADA meeting will be 5/3/21 at 6:30pm.

A motion was made by Timothy Simmons and seconded by Stanley Siegel as follows:

**WHEREAS**, the City of Port Jervis Common Council has reviewed information obtained from the NYS Retirement system regarding the pensionable treatment of Holiday time when paid through the holiday buy-back provisions of the Superior Officer Contracts of the Port Jervis Police Department.

**WHEREAS**, this information would then be applicable retro-active to the calendar year 2015 per contract.

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis approves the calculation and submittal of adjustments of pensionable time for the Superior Officers of the Police Department retroactive to the year ended 2015.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Timothy Simmons and seconded by Kristin Trovei as follows:

**WHEREAS**, the City of Port Jervis Common Council has reviewed information obtained from the NYS Retirement system regarding the pensionable treatment of Holiday time when paid through the holiday buy-back provisions of the PBA Contracts of the Port Jervis Police Department.

**WHEREAS**, this information would then be applicable retro-active to the calendar year 2015 per contract and may require contributions from Tier 6 officers as applicable and same has been discussed and consent obtained from the PBA to process adjustments for pensionable holiday buy back time.

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis approves the calculation and submittal of adjustments of pensionable time for the PBA members of the Police Department retroactive to the year ended 2015. Any required contributions will be taken from the payroll date of 5/28/2021.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

**Mr. Santini** – Mr. Santini indicated that Code Committee has not met since the last Council meeting. He announced that due to the Special Council Meeting called by the Mayor the time for the Code meeting will be moved up a half hour. The next Code Committee meeting will be May 5<sup>th</sup> at 5:30 pm.

**Ms. Campbell** – The Mayor gave the recreation update as follows:

1. The 27<sup>th</sup> Delaware River 5K Run is this upcoming Sunday May 2 here in Port Jervis at Riverside Park. Online registration for the race will end this Friday April 30. There will be NO race day registration this year. You can register online at [www.delawareriver5krun.com](http://www.delawareriver5krun.com).
2. The Youth Center Recreation Room will be open Monday-Friday, including Wednesdays beginning Monday May 3. Hours for the Youth Center Recreation Room are 3 pm- 6 pm. This week the Recreation Room is closed on Wednesday.
3. The Recreation Department is currently hiring summer staff to fill the positions of Playground Supervisor, Lifeguards, Beach Attendants and Maintenance staff. Contact the Recreation office at 845-858-4045 or email us at [recreationdirector@portjervisny.gov](mailto:recreationdirector@portjervisny.gov). for more information of for an application.
4. A reminder that parks are open for the season. Please be mindful of all using our parks and playgrounds. Please use the garbage cans, respect property and use appropriate language, dress appropriately and be good role models for the younger children. Also, dogs are not permitted in the parks or playgrounds. Dogs are allowed in the Dog Yard, Watershed Trails, D & H Trail and the Mike McCarthy walkway. Please clean up your dog's waste! Thank you.
5. The next Recreation Commission meeting is scheduled for Thursday May 20 at 6:00 pm at the Youth Center

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A motion was made by Lisa Randazzo and seconded by Stanley Siegel to approve the use of the Riverside Park Stage for the PJMS Drama Club for the period of 5/6-8/2021 with a public performance on 5/7 and two performances on 5/8.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Timothy Simmons and seconded by Stanley Siegel to approve the use of the Riverside Park Stage for the Dance Center for performances on 5/22 or 5/23 depending on the weather and on 6/12 or 6/19 weather permitting for a full-length presentation of the ballet Giselle.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Stanley Siegel and seconded by Timothy Simmons to approve the use of Riverside Park by Mainly Marathons to park vehicles overnight on 6/8 to 6/9 to support a marathon which will be running through our area on 6/9.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion by Stanley Siegel and seconded by Timothy Simmons to approve the event application of Camp Koinonia in conjunction with St. Peter's Lutheran Church to use West End Beach to conduct swimming lessons for their day camp program July 19<sup>th</sup> – August 13<sup>th</sup> subject to insurance requirements and authorize the Mayor to execute any licensing agreements as necessary.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

**Ms. Mann-** She noted that the IDA met on April 19<sup>th</sup> and was televised on Access 23 as required by NYS law. The Board appointed a new Chairperson Thomas McCarron and Vice Chairperson James Hinkley. The IDA reviewed the status of all current projects, the audited financial of 2020, welcomed new members, discussed the status of the annexation, reviewed the purpose of the IDA and its functions. It was noted that a new tenant is coming into Pike Plaza, a bagel shop.

The IDA will announce their next meeting as business presents itself.

The Tourism Committee met on April 14<sup>th</sup> and was focused on the City-Wide Yard Sale which will happen on May 1<sup>st</sup> from 9am-4pm. She noted that the Carnival will not return this year and the Veteran's monument repair will begin on June 1<sup>st</sup>. Some possible new events for the summer and fall have been suggested.

The next meeting of the Tourism Committee will be 5/12/2021 at 7pm.

Ms. Mann gave condolences to the Simmons Family.

She also expressed congratulations to the Port Jervis High School Football team on their victories and to Mrs. Waizenegger on her retirement.

**Mr. Oney** – He noted that garbage pickup is on its normal schedule for the next two weeks. Hydrant flushing has been completed and he thanked residents for their cooperation in that process. Leaf and brush drop off is available on Saturday mornings from 7:15 to 11:30 at the brush pile on Canal Street. Yard waste pickup is being done weekly and everyone is reminded to use bio-degradable bags.

The next DPW meeting will be 5/3/2021 at 6pm in Council Chambers.

**Mrs. Trovei** – She noted that the CDA will meet on 4/28 at 7pm via Zoom.

Mrs. Trovei shared the highlights of the minutes of the 4/21/2021 Finance meeting.

A motion was made by Kristin Trovei and seconded by Gerald Oney to approve the April minutes from the finance committee.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Kristin Trovei and seconded by Lisa Randazzo to pay the bills totaling \$450,486.38.

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AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

Mrs. Trovei expressed congratulations to the Port Jervis High School Football team on their victories and to Mrs. Waizenegger on her retirement.

**Mr. Simmons** – He informed the Council that the Zoning Board did not meet due to lack of agenda items and that their next meeting is 5/4/2021.

Mr. Simmons thanked everyone who expressed their sympathies on his family's recent loss.

He expressed condolences to the Van Horn family and the Sparrowbush Fire Department on their recent loss.

He also expressed congratulations to the Port Jervis High School Football team on their victories and to Mrs. Waizenegger on her retirement.

**Mr. Siegel** – He informed the Council that the last fire and emergency committee meeting took place on 4/19/21 and their next meeting will be 5/17/2021 at 6:30 pm in-person in the Council chambers.

Mr. Siegel reviewed the highlights of the minutes of the 4/19/2021 meeting.

A motion was made by Stanley Siegel and seconded by Timothy Simmons to approve the 4/19/2021 minutes of the Fire and Emergency Services Committee.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

The Port Jervis Housing authority will meet next on 4/27/2021 at 7pm.

Mr. Siegel reminded all veterans of the medical services available at Castle Point, Montrose and locally. The local office can be contacted at 856-5396.

Mr. Simmons noted that once again there is an uptick in SSI Scams, and he warned all senior citizens to be on guard.

Mr. Siegel expressed condolences to the Simmons and Van Horn families.

He also noted the tribute to Bobby Dunn.

Mr. Siegel expressed thanks to the Port Jervis Football Team for their victories.

Mr. Siegel discussed the importance of have 4-inch high visible house numbers on all residences and buildings to assist emergency responders in locating places they are being called to respond to. Locating a house during an emergency can be a matter of life and death so please put numbers on your houses.

**Ms. Randazzo** – She expressed condolences to the Simmons and Van Horn families.

Mrs. Randazzo also expressed congratulations to the Port Jervis High School Football team on their victories, to Mrs. Waizenegger on her retirement and to Mr. John Faggione for being selected Citizen of the Year from the Elks.

**For the Good of the City (Public Comment) –**

Erin Ralph from Wantage encouraged Port Jervis to participate in the Carbon Positive Plan and it is the beginning of a renaissance of society. She expressed that with all of the assets Port Jervis has and is developing it truly could become a model City and she believes that it will bring resources. She noted that her background is in lifestyle media and believes in human empowerment and being progressive. She expressed congratulations to Port Jervis on their efforts.

**Mayor Kelly Decker** –

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The Mayor indicated that we have a City Event application to approve.

A motion was made by Stanley Siegel and seconded by Lisa Randazzo to approve the Man up to God Ministries Concert on August 7, 2021 in Riverside Park at 5pm.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Stanley Siegel and seconded by Timothy Simmons to authorize the Mayor to sign documents necessary to acknowledge the name change of Spinnertech our IT consultants with respect to our existing contractual relationship which will change with respect to terms.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Kristin Trovei and seconded by Lisa Randazzo to allow the Mayor to execute necessary documents to retain the services of Robin Waizenegger as needed for up to one year.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

A motion was made by Timothy Simmons and seconded by Dominick Santini for the sale of property known as 48 South Maple Avenue SBL 20-8-11 for \$750 plus purchaser pays all closing costs to the adjoining property owner on the Deerpark side. It was noted that this parcel is a small landlocked parcel only accessible from the river.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

The Mayor clarified that the special meeting is on May 5<sup>th</sup>, 2021.

The Mayor expressed condolences to the Simmons, VanHorn and Rohner families.

The Mayor noted that he got to personally attend the Bell game this year and congratulated the football team. He also reviewed the history of the Port Jervis football programs.

He read a proclamation from Senator Martucci in recognition of the Port Jervis Football victories this year which will be presented to the Port Jervis School District.

He expressed congratulations to Mrs. Waizenegger on her retirement and presented her with an official Port Jervis City Suncatcher.

**Meeting Adjourned** – A motion was made by Timothy Simmons and seconded by Kristin Trovei to adjourn.

AYE: 7 ABSENT: 2 (Foster, Campbell) NAYS: 0 ABSTAIN

Meeting Adjourned at 9:36 pm.

Next Meeting is scheduled for 6:30 pm on May 10<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