

January 27, 2020

**Executive Session –**

The Executive Session portion of the meeting of the City of Port Jervis Common Council was held in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Monday January 27, 2020 at 6:30 p.m.

**Pledge of Allegiance-**

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

A motion was made by Regis Foster and seconded by Dominick Santini to go into executive session for the purpose of negotiation of an Contract for Human Resource services, contract negotiation with the Outdoor Club of Port Jervis, review of proposed sale of City owned property, potential land acquisition contracts and to review a potential promotion in the police department with an invitation for the Police Chief and the City Clerk Treasurer to attend.

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

Meeting was adjourned to executive session at 6:32pm and reconvened for regular session at 7:15pm.

**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 January 27, 2020 at 7:15 p.m.

**Attendance-**

All members of the Common Council were present. Also present were City Clerk Treasurer Robin Waizenegger, Deputy City Clerk Treasurer Bobbie Jo Muller and Corporation Counsel William Bavoso.

Meeting opened at 7:15 pm by Mayor Kelly Decker.

**Youth Report-** Mallory Conklin gave the Youth report which included information as follows:

The Port Jervis City School District is hosting a viewing of the documentary Resilience on Tuesday February 11th 2020 from 4:30PM to 6:00PM in the Port Jervis High School Auditorium.

Odyssey of the Mind is in full swing, as all teams are preparing for their upcoming competition in March. District teams from each building recently came together for a Spontaneous Night, focusing on team building and spontaneous problem solving!

Join the talented members of the Port Jervis High School Drama Club for a night of love songs. The Sweetheart Cabaret is sure to put you in the Valentine's Day spirit. Thursday 2/13 at 6pm - \$5 tickets includes a cup of gourmet hot chocolate. NEW for this event, buy your tickets ahead of time on <https://port.booktix.com/>

This past weekend at Monroe Woodbury High School, students of the high school music department participated in the Orange County Music Educators' Association High School All County Music Festival. Lorelei Clark, Ethan Perkowski and Braeden Ross were chosen for the mixed chorus and Colin Fitzpatrick (trumpet) who was chosen for the All County Band.

ASK's STREAM enrichment program for 5th and 6th grade students completed their first project. The engineering program's big project was to build a roller coaster with the longest travel time for their marble. Amazing work done by all students who participated!

Big Bear Ski Resort came to ASK to work with the Physical Education Department recently. They spent the entire week teaching every grade about snowboarding and set up a variety of fun balance activities. These activities aim to help students feel more comfortable and motivated to try snowboarding and continue it as a lifelong physical activity!

On Tuesday, January 14, Chris Poulos, a youth motivational speaker, world champion athlete and an aspiring author visited ASK. He spoke to the students about bullying and taught valuable life lessons while doing incredible bike stunts.

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Kelly Pearson registered dietitian from the Shoprite of Montague taught the students at ASK and HBE about citrus fruits. The students even got to sample Neopolitan Tangerines generously donated by Melissa's Produce.

The students in Ms. Monahan's 3rd and 4th grade HBE class began their weather unit with a mystery science experiment. They created their own clouds and explored the properties of matter.

HBE had over 50 students participate in the "December's Play It Up For The Holidays Fitness Challenge". Students were asked to play indoors or outdoors from a list of fun activities for at least one hour a day over the 16 days of winter break. Students who returned their activity calendar had their form go in to a raffle to earn PE equipment. Congratulations to the winners. The second marking period has ended and report cards will be coming home with your child this Friday.

**Veterans & Seniors** – Councilman Siegel reported on scams targeted at Veterans and Seniors and urged everyone to be diligent with respect to fake utility companies, fake SSA calls, IRS calls, Jury Duty calls, and Computer compromised calls. Do not process any payments in any form. Hang up on any callers and report them to the SSA, IRS or police.

He also noted that the new VA Clinic at 100 Pike Plaza was open today and is a beautiful and great addition to our community. Veterans can receive many more services at this site bringing care much closer for all our area residents.

**Minutes Approved** - A motion was made by Lisa Randazzo and seconded by Dominic Santini to approve the minutes of the January 13th, 2020 regular meeting.

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

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

Mr. George Belcher - He spoke regarding his support for the Mayor's nomination of David Bavoso as City Attorney. He reviewed all of Mr. Bavoso's experience and work on the Common Council.

Mr. Ed DeGroat – He spoke regarding the property located at 29-31 Front Street and his objections to allowing the building inspector being on paid leave.

Linda Van Horn – She spoke regarding the controversy of appointing the City attorney. In addition, she expressed her opinions on annexations, 29-31 Front Street, the building inspector's paid leave and FOILS. She indicated that she wants change in legal representation.

Mr. Peter Grech – Apologized for the error he made at the December Council Meeting regarding Mr. David Bavoso again. He also noted that decisions made now set precedent for the future with respect to property encroachments and decommissioning city streets. He also questioned legal advice being given to the City.

**Business:**

**Mr. Foster** – He expressed his condolences to the family of Michael McCarthy.

A motion was made by Regis Foster and seconded by Dominic Santini to accept the retirement of Sargent Jeffrey Legato effective 2/28/2020.

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

A motion was made by Regis Foster and seconded by Dominic Santini to approve the permanent appointment of Sargent Jeremy Eagan in the rank of Sargent Detective retroactive to 12/31/2019. It was noted that Sgt. Eagan has actively been serving in that rank on a probationary status.

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

A motion was made by Regis Foster and seconded by Lisa Randazzo to allow two unpaid college internships in the police department.

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

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The next Police committee meeting will be 2/20/2020 at 6pm.

The next ADA meeting will be 3/2 at 6:30pm

**Mr. Santini** – He noted that the Code committee has not met since our last meeting and will meet next on 2/5/2020 at 6PM.

Mr. Foster requested to be allowed to complete an additional piece of business.

A motion was made by Regis Foster and seconded by Dominic Santini to approve the appointment of Officer Peter Walshski to the position of Juvenile Aid Officer effective 1/28/2020.

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

**Ms. Campbell** –

Ms. Campbell gave the Recreation Update as follows:

1. The Recreation Department is sponsoring a field trip to Mohegan Sun Pocono in Wilkes Barre PA on Saturday March 14, 2020. Cost for the trip is only \$35. Participants must be 21 or older and must have a valid ID with them. Participants will receive \$25 in slot play and a \$5 food voucher when they arrive at the casino. Charter bus will leave Port Jervis at 4:30 pm and return at approximately 7:30 pm. For more information please contact the Recreation office at 845-858-4045.
2. The Youth Center Recreation Room is open Monday-Thursday between 3 pm-7 pm and Fridays between 3 pm- 6pm. Friday night Teen Night is held between 6 pm- 10pm. This Friday it is MOVIE NIGHT at Teen Night. Movie will start at 8 pm. Refreshments will be served.
3. Recreation Maintenance Staff is working on the following:
  - Clearing all the sumac and knot weed along the riverbank next to the heavily used walking path on River Road- this will create a beautiful view of the Delaware River all year long
  - Repairing ALL the chain link fencing at Church St. Park
  - Removing broken slides from multi-unit playgrounds at Church St., Farnum and Riverside Parks- new slides are being delivered this week
4. Next Recreation Commission meeting is scheduled for Wednesday February 19, 2020 at 7 pm at the Youth Center.

**Ms. Mann**- She noted that the IDA has not met, and their next meeting is scheduled for 2/18/2020.

Ms. Mann also noted that the VA Clinic is open and that a Grand Opening has been set for 2/11/2020.

Tourism met on January 8<sup>th</sup> where they discussed events for the year and will meet again on the second Wednesday of the month on 2/12/2020 at 7pm.

A motion was made by Maria Mann and seconded by Stanley Siegel for the approval of the event application for Chinese New Year on 2/8/2020.

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

A motion was made by Maria Mann and seconded by Lisa Randazzo for the approval of the event application for the PBA 5K on 4/26/2020.

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

A motion was made by Maria Mann and seconded by Lisa Randazzo for the approval of the event application for the City-Wide Yard Sale on 5/2/2020.

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

A motion was made by Maria Mann and seconded by Stanley Siegel for the approval of the event application for the Fall Foliage Festival on 9/27/2020.

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

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A motion was made by Maria Mann and seconded by Lisa Randazzo for the approval of the event application for the Monsters on the Mountain on 10/17/2020.

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

A motion was made by Maria Mann and seconded by Lisa Randazzo for the approval of the event application for the Christkindlemart on 11/29/2020.

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

Ms. Mann expressed her condolences to the family of Michael McCarthy.

**Mr. Oney** – He echoed the condolences to the family of Michael McCarthy.

Garbage pickup will be on the normal schedule for the next two weeks. Bulk waste is available from 7:15 to 11:30 on Saturdays with a dump pass. The brush pile and compost pile are also available on Saturday mornings. He also announced that the 2020 Garbage schedules are available. The Bridge is open for traffic with limited lane closures and new traffic patterns. Xmas trees are still being collected on Mondays. The next DPW meeting will be 2/3/2020 at 6pm.

**Mrs. Trovei** – She noted that the CDA met on 1/22/2020 and reviewed Section 8, the 2020 budget, and grants. The CDA's next meeting is 2/26/2020 at 7pm at which they will do re-organization tasks.

A motion was made by Kristin Trovei and seconded by Gerald Oney to approve a contract between the CDA and the City for grant development and management services as budgeted in the 2020 city budget.

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

Mrs. Trovei read highlights of the Finance Committee Minutes.

A motion was made by Kristin Trovei and seconded by Lisa Randazzo to Approve the finance minutes of 01/15/2020.

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

The next Finance meeting is 02/19/2020 at 6 pm.

A motion was made by Kristin Trovei and seconded by Dominic Santini to pay the bills totaling \$1,920,413.24.

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

A motion was made by Kristin Trovei and seconded by Regis Foster as follows:

**WHEREAS**, the City of Port Jervis Common Council has acquired a vacant lot at 223 Jersey via tax deed as a result of the 2017 Tax lien process and

**WHEREAS**, the adjacent property owner Vanessa Sumnick is desirous of purchasing said lot to expand her property

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis approved the sale of the property at 223 Jersey Avenue on an "as is" basis contingent on the fact that the lot will be combined with the adjoining property as one combined parcel to enhance the functionality of the existing property for a potential use as a driveway and/or garage for the current residence for the amount of \$1000.

Mr. Siegel noted that the Assessor had valued the property at \$2500 but there is a large tree that needs removal for which an estimate of \$1400 was received which was how the sale price was developed.

Mr. Oney also noted that the sale is contingent on the lots being combined into one parcel as the lot is not a buildable lot.

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

A motion was made by Kristin Trovei and seconded by Gerald Oney as follows:

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**WHEREAS**, the City of Port Jervis published Requests for Proposals (RFP) in August 2019 for each Engineering and Administrative consultants for the NYS HCR CDBG Project 938PR138-18; and

**WHEREAS**, Farr Engineering for Engineering and the Port Jervis Community Development Agency for Administrative were the only respondents; and

**WHEREAS**, these firms are known to the City and per DPW Director Farr's review and analysis are recommended to fulfill the tasks as advertised and as the submissions detailed;

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis hereby awards the Engineering contract for this project to Farr Engineering for \$40,000.00 and the Administrative contract to the Port Jervis Community Development Agency for a fixed fee of \$3,500.00.

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

A motion was made by Kristin Trovei and seconded by Lisa Randazzo as follows:

**WHEREAS**, the City of Port Jervis Common Council approved in the budget for the year 2020 the lease of a vehicle for the DPW Department and

**WHEREAS**, the City Clerk Treasure has obtained competitive bids for the lease/purchase of a vehicle

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis approves the use of a vehicle lease/purchase with M & T Bank.

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

A motion was made by Kristin Trovei and seconded by Gerald Oney to approve the Certificate of Current Base Proportions as presented by the Assessor.

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

A motion was made by Kristin Trovei and seconded by Timothy Simmons to approve Travel and associated travel expenses to the Annual Meeting and Fall Conference of Assessors and other local and regional meetings as necessary and permitted within budgetary limits.

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

A motion was made by Kristin Trovei and seconded by Stanley Siegel to increase the annual contribution to the Upper Scenic Delaware Council from \$250 to \$500.

The Mayor displayed materials related to the Upper Delaware promotions and showing how Port Jervis benefits from its association with this group.

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

Ms. Trovei expressed her condolences to the family of Michael McCarthy and gave congratulations to the Santini family on the birth of their daughter.

**Mr. Simmons** – Mr. Simmons expressed his condolences to the family of Michael McCarthy.

He informed everyone that the Polar Plunge was a huge success and exceeded expectations. He thanked Wayne Addy and John Faggione and the recreation department for their assistance. He also thanked Maria Mann for her contribution in flyers and t-shirts.

Mr. Simmons stated that the Zoning Board met on 1/17 where they heard a pre-submission for a lot coverage variance for the reconstruction of a garage. This item was set for public hearing on 02/04/2020 at 7pm.

Planning met on 01/21/2020 and had a public hearing on Cornerstone Health, a pre-submission for 116-122 Franklin Street for use as a hair salon and a submission on new construction by MP Jervis aka Dunkin Donuts where currently the Mad Dog Liquor store is. Both were set for public hearing on 02/18/2020.

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Mr. Simmons also noted that Barclay Street is now a 2-way street. Residents on that street have been notified but which side of the street will be used for parking has yet to be determined.

**Mr. Siegel** – He expressed his condolences to the family of Michael McCarthy.

The fire and emergency committee met on 1/21/2020 and their next meeting will be 02/19/2020 at 6:30pm. He noted that there is no fire dept secretary correspondence and that all the Port Jervis fire companies need new volunteers.

He noted that PJ Housing's next meeting will be 1/28 at Hillside Terrace at 7pm. The February meeting will be on 02/25/2020.

**Ms. Randazzo** – She gave Dominick Santini congratulations on the birth of his daughter.

Ms. Randazzo read a letter from Drew United Methodist Church requesting a waiver of penalties due to transfer of title to the parsonage.

A motion was made by Lisa Randazzo and seconded by Timothy Simmons to waive the \$94.80 in penalties.

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

She congratulated the Fire Dept on the Polar Plunge event success and the officers of the Port Jervis Senior Club who run a vibrant club which is open to all seniors.

Ms. Randazzo expressed her condolences to the family of Michael McCarthy.

A motion was made by Lisa Randazzo and seconded by Dominic Santini as follows:

**RESOLUTION ESTABLISHING CITY OF PORT JERVIS AS LEAD AGENCY AND DETERMINING THAT PORT JERVIS ZONING CODE UPDATE PROJECT IS A TYPE I ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, the City of Port Jervis (City) is proposing adoption of the City of Port Jervis Zoning Code Update.

**WHEREAS**, the Project has been classified as a Type I Action as defined by the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, on August 19, 2019, the City caused a letter and Part 1 of the EAF to be sent to other potentially "involved agencies" and "interested agencies" (as these quoted terms are defined in the Regulations), indicating the City's Common Council's ("Common Council") desire to serve as "lead agency" (as this quoted term is defined in the Regulations) for a coordinated review under SEQRA of the Project; and

**WHEREAS**, each of the involved agencies or potentially involved agencies has agreed to or raised no objections to the Common Council serving as lead agency for a coordinated review under SEQRA of the Project; and

**WHEREAS**, pursuant to the Regulations, the Common Council has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the EAF for the Project, including the facts and conclusions in Parts 1, 2, and 3 of the EAF, together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the areas of relevant environmental concern.

**WHEREAS**, Part I of a Short Environmental Assessment Form (SEAF) has been completed, reviewed by the City of Port Jervis Common Council, and will be circulated to all Interested and Involved Agencies for purposes of establishing the City of Port Jervis Common Council as "Lead Agency" in accordance with 6 NYCRR Part 617.6(b).

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, that the Common Council hereby establishes itself as lead agency for the Project; and

**BE IT FURTHER RESOLVED**, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Common Council's knowledge of the area surrounding the Project and such further investigations of the Project and its

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potential environmental impact as the Common Council has deemed appropriate, the Common Council makes the following findings and determinations: the Project constitutes a Type I Action; and no significant adverse environmental impacts are noted in the EAF for the Project and none are known to the Common Council. Therefore, the Common Council hereby determines that the Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement with respect to the Project; and

**BE IT FURTHER RESOLVED**, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Common Council directs the City's Mayor to prepare a Negative Declaration in accordance with 6 NYCRR § 617.12; and

**BE IT FURTHER RESOLVED**, that the Common Council directs the City Mayor to publish notice of and file a copy of the Negative Declaration for the Project in accordance with the Regulations; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately

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

A motion was made by Lisa Randazzo and seconded by Stanley Siegel as follows:

ADOPTION BY THE COMMON COUNCIL OF THE CITY OF PORT JERVIS OF LOCAL LAW No. 1 OF 2020  
"A Local Law to repeal and replace the City of Port Jervis Code Chapter 535"

WHEREAS, a resolution was duly adopted by the Common Council of the City of Port Jervis on October 28, 2019, scheduling a public hearing to be held by Port Jervis Common Council on November 25, 2019 at 7:00 PM at the Common Council Chambers, 20 Hammond Street, Port Jervis, NY 12771, to hear all interested persons on a proposed Local Law entitled " A Local Law to repeal and replace the City of Port Jervis Code Chapter 535" and

WHEREAS, a public hearing was duly held on November 25, 2019 at 7:00 PM and all parties in attendance were permitted an opportunity to speak in support of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Orange County Department of Planning on January 13, 2020, pursuant to Section 239-m of the General Municipal Law, determined that the proposed Local Law has no negative inter-community, or county-wide impacts, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review (SEQR) Act) of the Environmental Conservation Law it has been determined by the Port Jervis Common Council that adoption of said proposed Local Law would not have a significant adverse impact upon the environment and could be processed by their applicable governmental agencies without further regard to SEQR, and

NOW, THEREFORE BE IT RESOLVED that the Port Jervis Common Council hereby adopts said Local Law as Local Law No. 1 of 2020 entitled " A Local Law to repeal and replace the City of Port Jervis Code Chapter 535," a copy of which is attached hereto and made a part hereof, and the City of Port Jervis Clerk-Treasurer is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the City of Port Jervis, and to give due notice of the adoption of said Local Law to the Secretary of State by filing the same with the Secretary of State as required by law.

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

Ms. Randazzo thanked all the people that worked to bring this project to fruition.

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

Mr. Ed DeGroat aired his beliefs regarding 29-31 Front Street, Michelle Darne, documents he requested regarding the property and his opinion that the City made a bad investment. He expounded that the Mayor lies, and his legal counsel lies. He also brought forth the issue of Farnum Street.

Mr. Peter Grech apologized for the error he made at the December Council Meeting regarding Mr. David Bavoso again. He sarcastically thanked the Mayor for his persistence in choosing legal counsel. He also criticized the process of redactions, rules of conduct at meetings and lack of enough funds to achieve quality representation.

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**Mayor Kelly Decker** – The Mayor requested a motion and a motion was made by Lisa Randazzo and seconded by Kristin Trovei to approve a contract with Barton and LoGiudice for the annexation in the amount of \$69,500. With \$10,000 to be provided from the City of Port Jervis and \$10,000 from the Town of Deerpark with the balance to come equally from the applicants with said funds already on deposit with the City of Port Jervis.

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

The Mayor set a Public Scoping Session for the Annexation for 6:45 pm on February 10<sup>th</sup>, 2020.

He noted two corrections on the appointments which were corrected for the minutes previously prepared.

He announced that the State of the City address is scheduled for Wednesday 29<sup>th</sup> at 6pm.

He announced that the VA Clinic Grand opening will occur on 2/11/2020 beginning at approximately 10am.

Mayor Decker noted that if anyone has concerns about topics being expounded on during public comment that you may feel free to contact any of the council members or his office to ask questions or obtain clarification given the repetitive nature of the issues brought forth as issue have already been covered.

The Mayor expressed his condolences to the family of Michael McCarthy and his numerous accomplishments in the community.

A motion was requested by the Mayor, made by Timothy Simmons and seconded by Maria Mann to provide 10 death certificates be provided to his family free of charge.

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

A motion was made by Lisa Randazzo to approve the appointment of Mr. David Bavoso as recommended by the Mayor as City Corporation counsel and seconded by Kristin Trovei.

Mr. Simmons detailed his displeasure at the actions of the Mayor with respect to seeking out additional possible candidates after the rejection of his recommendation at the last Council meeting.

Mr. Siegel expressed his desire to seek the best possible candidates for the amount we have budgeted and recommended seeking candidates outside of the City with a properly worded request.

Mrs. Trovei reminded the members of the process for appointment of legal counsel by the Mayor and that the search is left to the discretion of the Mayor. She reminded those present that William Bavoso had offered to continue with the annexation and serve as deputy counsel as necessary at no cost for the City. She also expressed that the annexation will be beneficial to both municipalities not the attorneys involved. She sees the appointment of David Bavoso as providing a smooth transition for the City.

Mrs. Randazzo echoed the comments regarding the Mayor's right to appoint and does not believe that we should leave ourselves unrepresented. She noted that never has the Council previously required an RFP nor has there ever been a call for changing the appointment rights of the Mayor.

Mr. Oney expressed his appreciation of passion on both sides of this issue. He however feels that it is clearly the Mayor's right and responsibility to appoint this position. He noted that while many sight that this is just business, he finds that untrue and notes that it is personal and about money. He admonished the Council that if you vote no then you are responsible for what happens afterward.

The Mayor stated that this issue is not about stubbornness it is about the law as prescribed by the Code and Charter. He noted that council members have independently done outreach to other attorneys without his input as opposed to working with him whereas every correspondence that was done by him was copied to the entire Council. He then read several emails he sent and received. He expressed his remorse at the feeling that he should be expected to work with attorneys unknown to him when he knows and respects the credentials of the person he is choosing to appoint. The Mayor asked the public to put in writing their opinions on this matter.



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Mr. Simmons stated that an attorney that contacted him feels this whole thing is an exercise in futility if the Mayor is not willing to work with someone else.

Mrs. Trovei spoke again and stated that she also spoke to the attorney Mr. Simmons mentioned and it was relayed to her that this person recognized that it is a Mayoral appointment and they will honor that by not submitting any further interest and feels that Mr. Bavoso is a capable attorney.

Mr. Siegel encouraged the public to express their opinions.

Role Call Vote

Council Member-At-Large Lisa M. Randazzo	<u>  Y  </u>
Council Member Regis Foster	<u>  N  </u>
Council Member Dominic Santini	<u>  Y  </u>
Council Member Maria Mann	<u>  N  </u>
Council Member Chandler Campbell	<u>  N  </u>
Council Member Kristin Trovei	<u>  Y  </u>
Council Member Stan Siegel	<u>  N  </u>
Council Member Timothy Simmons	<u>  N  </u>
Council Member Gerald Oney Jr.	<u>  Y  </u>

AYE: 4 ABSENT: 0 NAYS: 5 ABSTAIN: 0 FAILED

The Mayor then set a special council meeting for 6:45 pm on 01/29/2020 to continue discussion on appointing a Corporation Counsel. He noted that he will again propose David Bavoso for Corporation Counsel and requested that any Council member opposed please provide information relative to the reason why they feel he is not competent to fill the position.

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

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

Meeting Adjourned at 9:25 pm.

Next Meeting is scheduled for 6:30 pm executive session, 6:45 pm Annexation Scoping Session and 7:15 pm general business session on Monday February 10<sup>th</sup>, 2020.

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Robin Waizenegger  
City Clerk Treasurer