

OFFICE OF THE CITY CLERK
SCHENECTADY, NEW YORK
AGENDA FOR
THE COUNCIL CAUCUS
AND
THE CITY COUNCIL MEETING

July 14, 2014
Room 209
7:00 P.M.

1. By Councilmember **CANCELLED** **PUBLIC HEARING**

Regarding Changes to Chapter 186 of
the Administrative Code Regarding
Fees for Services at City Parks.

1. By Councilmember **Marion Porterfield** **(ORIGINAL CONSIDERATION)**

A RESOLUTION Confirming
Appointment of Members to the
Affirmative Action Advisory Board.

4 Votes **2014-165**

2. By Councilmember **Vincent Riggi**

A RESOLUTION Authorizing the
sale of 946 through 954 State Street.

4 Votes **2014-166**

3. By Councilmember **Vincent Riggi**

A RESOLUTION Authorizing the
Settlement of a Tax Certiorari
Brought by 1707 State Street, LLC.

4 Votes **2014-167**

4.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the Settlement of a Tax Certiorari Brought by Excelsior Development Partners, LLC involving 103 Kings Road.	4 Votes	2014-168
5.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the Settlement of a Tax Certiorari Brought by Joseph Suhrada involving property located at 2565 Albany Street.	4 Votes	2014-169
6.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the Settlement of a Tax Certiorari Brought by Draper Development, LLC involving property located at 438 State Street.	4 Votes	2014-170
7.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the Settlement of a Claim brought by Beverly Barnett.	4 Votes	2014-171
8.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the City of Schenectady to Settle a Claim by Carrienne Milham.	4 Votes	2014-172

9.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the Settlement of a Tax Certiorari Brought by Cohn Family Investment Partners, LP involving property located at 426 Franklin Street.	4 Votes	2014-173
10.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the City of Schenectady to Settle a Claim by Brenda Long.	4 Votes	2014-174
11.	By Councilmember	Vincent Riggi	A RESOLUTION Authorizing the City of Schenectady to Settle a Claim by David and Paula Gunn.	4 Votes	2014-175
12.	By Councilmember	Vincent Riggi	A RESOLUTION Recognizing the 25th Anniversary of the Music Haven World Class Concert Series.	4 Votes	2014-164

12A.* By Councilmember **Ed Kosiur** **A RESOLUTION** Honoring Rev. Van Stuart.

4 Votes **2014-176**

12B.* By Councilmember **Marion Porterfield** **A RESOLUTION** Bethel AME Church.

4 Votes **2014-177**

*Unanimous Consent Required

**MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE SCHENECTADY CITY COUNCIL**

July 14, 2014

The City Council Meeting was called to order by the City Council President Margaret King at 7:04 p.m. in Room 209, City Council Chambers at City Hall.

Ms. King asked Rev. Felicia Collins of Bethel AME Church who provided the invocation.

Ms. King called on Mona Golub to lead the Pledge of Allegiance.

The City Clerk called the roll and the following members of the City Council answered to be present:

Present – Council members Margaret King, Ed Kosiur, John Mootooveren, Marion Porterfield, and Vincent Riggi.

Also Present – City Clerk Charles Thorne, Corporation Counsel John Polster and Mayor Gary McCarthy
Council members Carl Erikson and Leesa Perazzo were absent.

At this point, Ms. King asked if there were no objections, she would like to take agenda item number 1 & 13 out of order. There were no objections.

Resolution No. 2014 – 164 – A Resolution Recognizing the 25th Anniversary of the Music Haven World Class Concert Series. Ms. Golub extended her gratitude for the recognition by the Mayor and City Council. Ms. Golub noted that it has been a pleasure to produce the Music Haven concert series. She encouraged residents to attend the free concert series and thanked all those who have volunteered their time over the years.

The resolution was moved by Mr. Riggi and seconded by Mr. Mootooveren. The resolution passed unanimously.

PUBLIC HEARINGS:

- 1. Regarding Changes to Chapter 186 of the Administrative Code Regarding Fees for Services at City Parks – Cancelled.**

APPROVAL OF MINUTES:

Ms. King asked for a motion to approve the minutes from the June 9 & June 23, 2014 meeting as submitted by the City Clerk; Mr. Kosiur made a motion to approve the minutes, Mr. Riggi seconded the motion.

COMMUNICATIONS:

Communications Presented to the City Council for Monday, July, 14, 2014

Official:

From the Mayor a list of appointments dated July 14, 2014.

General:

None

Petitions:

None

COMMITTEE REPORTS:

Ms. Porterfield, Health & Recreation – Noted the resolution regarding the Affirmative Action Advisory Board appointments is on the Council agenda for tonight. She thanked the Mayor for the appointments and all those who submitted their applications for consideration. She then pointed out there are many opportunities to serve the City and the work will continue on the Affirmative Action Board.

Mr. Riggi, Claims – Noted there is an agenda in claims, similar to his previous claim, related to the waterline replacement process. He noted that Corporation Council worked with the head of the Water Department, Paul LaFond to institute changes to the language in the City Code that saves the City money.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

Ms. King invited all who wished to address the Legislative Agenda to come forward:

Jason Planck, Schenectady – Noted an item on the agenda related to a tax certiorari regarding 438 State Street. He added this is the location of the Subway sandwich shop and the resolution reflects a 46 percent tax assessment reduction. He noted this is the area of downtown which the City likes to highlight \$800 million dollars worth of new investment. He noted this tax certiorari does not reflect that level of investment. He noted the City needs to do more regarding tax reassessments for City residents. He added another item on the agenda includes a spreadsheet that the City owes over \$20,000 to the County and School District regarding a tax assessment. He added this means the City's budget is now out of whack by \$20,000. He asked how many more of these tax certiorari's will the City have to pay back. He closed by noting the City needs to conduct a City reassessment. He then thanked the Mayor and Council member Marion Porterfield for all their work on the Affirmative Action Advisory Board. He hopes the board can work on jobs as a priority.

Bob Sanders, Schenectady – Noted he is pleased to see the appointments related to the Affirmative Action Advisory Board. Noted he is struggling to get a prescription filled and recently needed to change doctors as a result. He added he wants the Council to know the Affirmative Action Board is intended for persons with disabilities and not just persons of color. He noted he is concerned about how people treat each other today and noted he sees this board as a venue to improve relations.

Mary McClaine, Schenectady – Item # 1 “I place a high premium on education. The academic backgrounds of those who are being considered as members to the Affirmative Action Advisory Board are very impressive. I think the person who chairs this advisory board should have the same level of education and talent as its members. As I witnessed the evolution of this committee over the past several weeks the process has been and still is flawed. Recently, in a State of Michigan decision the Supreme Court declared racial preferences unacceptable in dealing with affirmative action issues. Race, however, can be considered. There is a difference. It means resumes are submitted, applicants interviewed and people hired accordingly. But when Council members call for specific groups to hold membership on an affirmative action board the diversity is abandoned and bias lurks its ugly head. Consequently, a lot of well-qualified people are passed over such as my neighbor, a free-lance photographer for National Geographic who came to America from Bangladesh. Also Schenectady has a Hindu Temple. Why didn't Council prefer someone from the Hindu population? Or is there a smaller minority than an 80 year old

grandmother who seeks public office but Council gave the service job to a double-dipper. Last but not least, what about last year's Mayoral appointments? This is a print out from the Mayor's office for 2013. I'm going to use first names only; Frederick who I assume is male was hired for a golf course cashier position at \$11.00 per hour, seasonal work; Gary, another male, position golf course cashier at \$11.00 per hour, seasonal work; Debra, a female, golf course cashier, seasonal work at \$9.00 per hour. Four women on City Council approved a salary of \$2.00 less for a female over her male counterparts. The proof is in the evidence. Look inside yourselves folks before throwing stones at others."

Seeing no further speakers come forward, Ms. King declared the Privilege of the Floor on the Legislative Agenda closed.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS:

Mr. Riggi made a motion that Council approves the Consent Agenda and the motion was seconded by Mr. Kosiur.

Consent Agenda –

- Resolution No. 2014 – 165Adopted Unanimously
- Resolution No. 2014 – 166Adopted Unanimously
- Resolution No. 2014 – 167Adopted Unanimously
- Resolution No. 2014 – 168Adopted Unanimously
- Resolution No. 2014 – 169Adopted Unanimously
- Resolution No. 2014 – 170Adopted Unanimously
- Resolution No. 2014 – 171Adopted Unanimously
- Resolution No. 2014 – 172Adopted Unanimously
- Resolution No. 2014 – 173Adopted Unanimously
- Resolution No. 2014 – 174Adopted Unanimously
- Resolution No. 2014 – 175Adopted Unanimously
- Resolution No. 2014 – 176Adopted Unanimously
- Resolution No. 2014 – 177Adopted Unanimously

PRIVILEGE OF THE FLOOR:

Ms. King invited all who wished to address the City Council on any matter of City business to come forward. The following speakers rose to be heard and their remarks are summarized:

Jason Planck, Schenectady – Regarding the reassessment he has been looking at figures from the Mayor's home ownership program. Specifically the graph which illustrates a monthly payment of \$1,400 per month in Schenectady compared to other local municipalities. He noted the annual salary is \$38,000 and that City and Council employees would not qualify for the Mayor's Home Ownership program. He noted this is why the City needs to look at assessments and taxes. Regarding affordable and accessible housing he expressed concerns that luxury apartments and townhouses are being built downtown and he does not understand how this moves the City forward. He closed by noting HUD recommends a 60 percent homeownership ratio and this has not been achieved in the City of Schenectady.

Marva Isaacs, Schenectady – Noted Bethel Methodist Church will celebrate its 62th anniversary on July 20 and all are invited to attend. She added the Hamilton Hill Summer Block Party will take place on July 26 on Duane Avenue from 12:00 p.m. to 4:00 p.m. She then noted a concern

related to kids on the roof of the school and the janitor has confronted them. She noted the police have been called but have not located the youth. He noted they have also vandalized private property and they seem to be targeting Guyanese residents. She added the Police Chief has an officer on duty on Duane Avenue and this has been cutting down on vehicles driving through the stop sign.

Sharon – Linn Schmidt, Schenectady – “Speaking as the Coordinator of Events for the Mont Pleasant Merchants, with the approval of the President of the Mont Pleasant Merchants, Rev. James Bookhout. The merchants will be holding their 2nd Annual Customer Appreciation and Sidewalk Sale on August 2nd from 10:00 a.m. to 6:00 p.m., offering specials to their customers. There is a free parking on Crane Street and in the City parking lot in back of the diner. I’d like to thank Kathleen Moore for the July 13th, Daily Gazette, article she wrote about the Crane Street Corridor. Thanks to Peter Barber for the photo. Credit actually goes to some special May 4th Mont Pleasant Clean-up Day volunteers, Herb and Jack, who delivered the cigarette butt cans on Crane St. Kathleen, thank you for comparing our efforts to those mirrored by Metroplex, you couldn’t have given us a higher honor. Let’s add a movie theatre, and game arcade to the list of businesses that merchants would like on Crane Street, a sports equipment and clothing store, and an ice cream parlor to the list of businesses we’d like to see fill our empty storefronts, and invite Ray Gillen for a free ice cream cone. Next, I’d like to praise Oron Tucker, the Schenectady Basketball Club, Inc., for taking on the kindergarten through eighth grade future basketball players at Orchard Park, which is open to all Schenectady K-8 basketball players. The sign-ups are increasing; the kids are learning the basics and interacting with each other in an admirable way. Volunteers are also welcome to join the Saturday morning and Monday night practice games. Thanks to the Local 106 union members who put the basketball pole and backboard back in place in time for the first sign-ups. John Mootooveren will provide details of this Saturday’s bike repair and Safe Child I.D. event. Thank you.”

Harry Brand, Schenectady – Reported the condition of all the City streets are deplorable. He questions why the City is tearing up Avon Road and Gerling Street and leaving them for 13 weeks without being repaved. This follows a horrible winter he added. He asked why the manhole covers don’t match up with the new pavement on Erie Boulevard. Regarding Union Avenue he reports the repaving was not done right. He noted he does not blame the workers but he questions when there break times are and why they go home early when the work is not done.

Rev. Priscilla Terry, Schenectady – Noted she has a time sensitive situation regarding the Family Tabernacle Church at 870 Albany Street. She added the property is up for foreclosure. She noted in February she came to City Hall and asked the Assessor’s office for assistance to navigate the bureaucracy to secure tax exempt status. She noted the church secured tax exempt status in 2013 however is looking for an extension of the exemption for 2010, 2011 and 2012 for taxes owed. She noted she has had several contacts with the Law Department to resolve this matter. Currently her request is being denied and she is looking to the City Council for assistance.

Mary McClaine, Schenectady – “I want to return to the Schenectady policeman’s plea deal. A local judge told me the court had nothing to do with the plea deal. The deal was between the union and the City. My 22 year old nephew pointed a water gun at a street sign from the cabin of his truck and he got the book thrown at him in the State of New Jersey. A Schenectady Police officer brandishes his revolver at an American citizen and the City is talking to the union that is American justice in Schenectady. Folks, you cannot build casinos fast enough to cover the cost of pork that goes out of this building when people leave the City’s employ. This former officer is in his early 40’s and retired with full benefits. He can live another 45 years. There is no way he

can put into the system as much as he is going to take out. So who is going to pay for his deal? Schenectady's aging population. We are his bank, benefactor and fairy god-mother. This kind of give-away deal is not a first by City officials. The Tax Assessor was given \$27,000 in cash to take a walk. A retiring Fire Chief received a pension, benefits and \$74,000 in cash upon his departure from the City. The cash was based on a document that did not apply to the job he was leaving. I foiled for the document and read it. Another employee retired in 2013 and padded his pension with \$40,000 worth of overtime work during his last year of City employment. With this pattern of loose money, it is obvious that City officials don't have a healthy respect for taxpayer dollars. The give-away keep the taxes burdensome. Is it any wonder there is no money in the budget, to pay the principal on the Foster Avenue garage? Don't be surprised when a citizens class action suit against high taxes comes crashing down on the City."

Seeing no other speakers to come before the City Council, Ms. King declared the Privilege of the Floor closed regarding City Business.

MISCELLANEOUS BUSINESS OF THE COUNCIL

Mr. Riggi – Noted the Bellevue Farmer's Market is taking place weekly on Thursday for 4:00 p.m. to 7:00 p.m. He added the corn has arrived and it's very good. He asked the Mayor for an update on the Oak Street Bridge. Then thanked the Mt. Carmel Church for the beautiful feast. Thank individuals involved with the Pop Warner program, he noted the program is in need of funds and there will be an event on July 19th. He noted the program acts as a good mentor program for youth regarding good citizen conduct. If individuals would like to make donations they can contact him for more information. He added there was a special needs child who was beaten up by other youth in a City Park. He noted this troubling incident was investigated by the Police Department. Regarding concerns related to the Affirmative Action Board he noted he agrees with the recommendation of including a representative who can advocate on behalf of persons with disabilities.

Mr. Mootoveren – Noted the Electric City Bike Rescue will be having an event on July 19 from 11:00 a.m. to 2:00 p.m. at the Bridge Church on Crane Street. He added the Schenectady County Sheriff's office will be offering Safe Child Id's at this event as well. He noted the event is sponsored by the Mont Pleasant Neighborhood Association.

Ms. Porterfield – Noted a point of clarification regarding the Affirmative Action Advisory Board. She noted the legislation reads that there needs to be individuals who can represent women and persons with disabilities, for example, but not that a person necessarily needs to be a women and/or a person with a disability. She noted there will be an exam for New York State Court Officers to fill openings from June 19 through August 14, 2014. The applications are online and there is a fee to apply. She added she will post the job announcement on the City Board. She noted there was a ceremonial resolution tonight for Rev. Van Stuart for his years of service. She noted he spent a great deal of time at City Council meetings and he will be leaving the area. She added he will be recognized on July 21, 2014 at a special event.

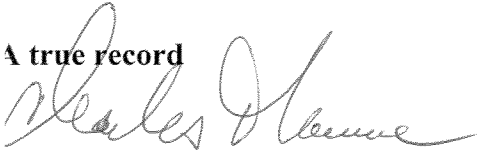
Mayor McCarthy – Noted the Oak Street Bridge is currently in the design phase and he hopes the outcome will be within budget so the work can start. He noted the goal is to open the bridge as soon as possible. He then thanked all those who were in attendance at Summer Nights. He noted it was a great night and he hopes everyone had a good time. He then complemented two Schenectady Police Officers, Corey Shields and Brian Palmer, who demonstrated restraint and good judgment when a local juvenile drew a bb gun on them. He added although the interaction ended without incident, it's important for all residents to act in a responsible manner.

Ms. King – Noted Summer Nights was a great success and she thanked all those involved.

Adjourned:

Seeing no further business to come before the City Council, Ms. King asked for a motion to adjourn the meeting. The motion was moved by Mr. Kosiur and seconded by Mr. Riggi and the meeting recessed at 7:52 p.m.

A true record

A handwritten signature in cursive script, appearing to read "Charles Thorne".

**By Chuck Thorne
Schenectady City Clerk**