

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

May 22, 2017

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

Ms. Perazzo asked Rev. Carlos Carabella of New Beginnings of Schenectady to provide the invocation.

Ms. Perazzo then called on Miss. Anyshia 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 Edward Kosiur, Leesa Perazzo, John Polimeni, Marion Porterfield, John Mootooveren, Vince Riggi and Karen Zalewski-Wildzunas

Also Present – City Clerk Charles Thorne, Mayor Gary R. McCarthy & Corporation Counsel Carl Falotico

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

Resolution No. 2017-138 – A Resolution Celebrating and Honoring the Contributions of Veterans on Memorial Day.

Anyshia Jackson and Marcia Mariani were on hand and they extended their gratitude for the resolution and recognition by the Mayor and City Council.

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

PUBLIC HEARING:

1. Regarding Amending Chapter 167 of the City Code Regarding Vacant Building Fees.

Ms. Perazzo invited all who wished to address the public hearing to come forward:

Seeing no speakers come forward Ms. Perazzo declared the public hearing to be closed.

2. Regarding the Proposed Amendment of the City of Schenectady's 2016-17 Action Plan.

Ms. Perazzo invited all who wished to address the public hearing to come forward:

Curtis Eatman, Deputy Finance Commissioner - Noted the public hearing relates to the reallocation of funding to allow for more street paving improvements in the city.

Robert Sanders, Schenectady - Noted he is a resident of the Mt. Pleasant neighborhood which he added needs attention. He asked what actions are taking place related to this neighborhood.

Jamaica Miles, Schenectady - Noted concerns about the lack of information available related to the public hearing. She asked how do the proposals relate to priorities, paving in general and how will this impact the action plan as a whole. She added in general the public needs more details. She noted her disappointment that without the information residents don't have the ability to have an impact on the decisions being made.

Ms. Perazzo - Noted the item will be held and the public hearing will take place again in two weeks to allow for further clarity related to the proposal. She noted the funding reallocation is intended to cover expenses related to ADA accessible bathrooms in Central Park. She agreed the public should have the information related to the proposal. She reiterated the public hearing will be held again in two weeks followed by a Council vote on the proposal.

Ms. Perazzo then declared the public hearing to be closed.

APPROVAL OF MINUTES:

Ms. Perazzo asked for a motion to approve the minutes from the May 8, 2017 Council meeting as submitted by the Deputy City Clerk; Mr. Kosiur made a motion to approve the minutes, Ms. Zalewski-Wildzunas seconded the motion.

Communications Presented to the City Council for Monday, May 22, 2017

Official:

From the Mayor a list of appointments dated May 22, 2017

A letter dated May 22, 2017 from Chris Wallin, City Engineer recommending the contract for the Schenectady Gateway Plaza to James H. Maloy, Inc.

A letter dated May 22, 2017 from Chris Wallin, City Engineer recommending the contract for the Erie Blvd Pavement Project to Callanan Industries, Inc.

General:

None

Petitions:

None

COMMITTEE REPORTS

Mr. Mootoveren, Public Safety - Noted the City Council will be voting on the agreement between the city and the Fire Department union. He added the agreement is a four year contract renewal which includes retroactive wage increases and a salary increase in 2018. He noted this is a good contract and he commends the Mayor and the union firefighters for this agreement. He added the Police Department union contract agreement was passed previously. He noted both public safety departments now have contracts and he thanked all involved.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

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

Don Circe, Schenectady - Asked the Council to hold on approving the sale of 220 Edward Street. He added the property is a former family residence which was lost to taxes. He added that he has unfinished business with the city related to the property. He noted an action was filed with the Schenectady County Supreme Court this morning. He added that he is aware that the City Law Department has advised the Council to go ahead with the sale of the property however he believes the case will go his way. He closed by asking the Council not to sell the property and to await the outcome of legal action.

Robert Sanders, Schenectady - Noted that he supported the new appointment to the Planning Commission. He then noted Memorial Day is a special day to veterans and he witnessed the ceremonial resolution present tonight. He noted many fire and police personnel died on 9/11 along with others in WWII who fought for our freedom.

Mr. Kosiur made a motion to go into Executive Session, the motion was seconded by Ms. Zalewski-Wildzunas. The City Council went into executive session at 7:27 p.m. Mr. Kosiur made a motion to come out of Executive Session at 7:36 p.m., the motion was seconded by Mr. Mootoveren.

Ms. Perazzo called on Corporation Counsel Carl Falotico to reiterate the legal counsel offered to the City Council. Mr. Falotico noted the city has already foreclosed on property in question. He noted the prior speaker who resides in the property is not the property owner. He added the Council can move on the sale of the property this evening and if there are further developments from the pending legal filing there will still be time before the transfer of deed will happen.

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

Mr. Kosiur made a motion that Council approves the Consent Agenda and the motion was seconded by Ms. Zalewski-Wildzunas.

Consent Agenda –

Ordinance No. 2017 – 04.....	Adopted Unanimously
Resolution No. 2017 – 139	Adopted Unanimously
Resolution No. 2017 – 140	Adopted Unanimously
Resolution No. 2017 – 141	Adopted Unanimously
Resolution No. 2017 – 142	Adopted Unanimously
Resolution No. 2017 – 143	Adopted Unanimously
Resolution No. 2017 – 144	Adopted Unanimously
Resolution No. 2017 – 145	Adopted Unanimously
Resolution No. 2017 – 146	Adopted Unanimously
Resolution No. 2017 – 147	Adopted Unanimously
Resolution No. 2017 – 148	Adopted Unanimously
Resolution No. 2017 – 149	Adopted Unanimously
Resolution No. 2017 – CS-13.....	Adopted Unanimously
Resolution No. 2017 – CS-14.....	Adopted Unanimously

PRIVILEGE OF THE FLOOR:

Ms. Perazzo 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:

Anthony Carota, Schenectady - Noted liberals are trying to make this historical city a sanctuary city which he added the City Council is against. He noted that law abiding citizens have been trying to talk to these liberals who are calling him names such as racist, bigot and deplorable. He then read the definition of those terms and added we are not any of these. He noted that he respects all and then read the definition of an American. He then showed a copy of his birth certificate and that he is an American. He then asked where in the U.S. Constitution does it give a municipality the right to become a sanctuary city. He added, nowhere. He then noted others have indicated that people of color are being oppressed and he said this is not true. He added while he was in high school blacks made up the majority of the basketball team.

Kevin Nelson, Schenectady - Noted he is a member of the Intersectional Justice Committee and then referenced the work of Aviva Chomsky work on immigrant rights. He noted the reference to immigrants as undocumented arose 50 year ago with immigration legislation passed in 1965. He added prior to these laws there were no limits on migrant workers. He noted the legislation created a quota system and a new immigration structure as more rights were taken away. He noted these new restrictions also extended to Asian immigrants. He added some immigrants are able to become citizens after a few years, however for others it can take decades. He noted that we can't call on the legislative body that created this to fix it. He added we are divided against each other and need to evaluate who invented and

benefits from this structure. He asked the Council to look behind the curtain and to see the ugly truth. He then asked the Council to take a stand for families and help make Schenectady a safer and better community for all.

Sara Baron, Schenectady - Noted she is a pastor at the First United Methodist Church in Schenectady. She noted her gratitude to the Council for passing a resolution seeking comprehensive immigration reform. She added this is evidence that the Council is aware the immigration system is broken. She noted that often times immigrants are doing work others won't do. She noted the current policies are on the backs of women who are victims of domestic violence, children and the community as a whole. She added that crimes go unreported while others who should be seeking help don't. She noted that immigrant entrepreneurs are also less likely to take risks. She then asked the Council to find their courage and to recognize that current structures in place benefit those in power. She asked the Council to take care of the most vulnerable, to stand up to injustice and to use their power to fix it.

P.D. Voorhis, Schenectady - Noted her intent to complain about the Code Enforcement Department. She added the office is not responding appropriately while she has been living in bad conditions for the last two years. She noted she is in a proxy war and will likely need to hire legal aid because she can't afford proper representation. She then noted there are five locations for free meals available to city residents any day of the week. She added there are also four locations where those in need can acquire pantry items without identification. She highlighted a recent Schenectady school district newsletter which noted plans to hire 66 new teachers, including staff for respite rooms, behavior management and elementary transportation. She noted with all of this the city has enough sanctuary already in place. She then noted that Council member Zalewski-Wildzunas should recuse herself as the secretary on the board of Metroplex. She then asked if Curtis Eatman is the Deputy Commissioner of Finance or representing the Development office. She added if so why is the city paying Deb DeGenova \$50 an hour for that program.

Carol DeLamarter, Schenectady - Noted she is the President of the Stockade Neighborhood Association and has been attending previous Council meetings. She added that Stockade residents have adopted Riverside Park and noted the city improvements to the park are appreciated. She noted the parks historical connections to former Mayor G. Lunn and Charles Steinmetz. She added the water and sewer pump station has been in place for the last fifty years and now we have a dilemma because of the need for a newer and bigger station. She noted this will certainly impact the neighborhood which is why the association sent a letter to the city regarding the issue. She added at a May 18 neighborhood association meeting it was decided the association strongly opposes the alienation of parkland outside of the current footprint of the existing pump station. She noted in April the association received a letter from the city inviting the group to participate in, I Love My Park events. She added that she agrees with the premise and asked of those designing the new pump station to explore another option. She closed by asking the Council to help save Riverside Park.

John Samatulski, Schenectady - Noted he is a property owner in the Stockade. He then thanked the Mayor and the Council for their efforts related to revitalization in the city which he added he has played a small part. He then noted his attendance in regards to the pump station. He added the pump station makes up about .2 acres in Riverside Park which is irreplaceable. He noted that other parts of the riverfront are under development and this park is a special place. He noted this is a quiet park and the proposed pump station will have a negative impact on property values. He added that he requested documentation related to the pump station and has not yet seen analysis related to the new pump station regarding its negative economic impact. He asked why the current station can't be retrofitted which he believes can save millions of dollars. He noted that he needs the Council's help, adding the process has failed thus far and he believes the Council can help fix it.

Jean Zegger, Schenectady - Noted she is a resident of the Stockade and is on hand to discuss the city's plans to put in a new pump station in Riverside Park. She added the park is enjoyed by many and has been praised as a riverside park which lacks railroad tracks. She noted the Journal magazine listed Riverside Park as one of the finest parks of its kind in America. She noted the new pump station would diminish the park. She referenced the recommendations of the advisory committee related to the pump station including the need to preserve green space and minimize the impact on the park entrance. She noted other properties will be impacted including Governor Yates historic residence. She noted the existing pump station is functioning and can be retrofitted to meet the current needs. She asked the Council to help protect Riverside Park.

Robert Sanders, Schenectady - Noted he has been researching sanctuary cities which he added is overwhelming. He noted that he looked into who authored prior federal immigration laws and found that Senator Teddy Kennedy did, who he said was known as the liberal lion. He noted that no one likes the immigration laws we have now. He added it's not ok for people to break laws even when they don't like the laws and he noted the safe act as an example. He noted that he is a democrat who leans right and added the sanctuary activists are not democrats but progressives. He noted he has been around a long time and that progressives should not call themselves democrats.

Ken Aslakson, Schenectady - Noted he is a progressive and the fight for a sanctuary is part of a larger movement. He added democrats are facing consequences if they don't recognize the changing times. He noted his attendance at several Council meeting and the opposition to sanctuary is not clear to him when the Council talks about the importance of community. He noted referencing studies which have promoted sanctuary but he believes the Council has not heard these arguments. He noted that other endorsements are available and perhaps these lines are more important. He added that perhaps other parties see the immigration issue as an interrogation technique. However he noted it's important for public safety officials to develop relationships of cooperation, not confrontation. He added there have been several high profile cases in Schenectady as of late and this would be a good time to declare Schenectady a sanctuary to help change that narrative.

Pat Smith, Schenectady - Noted she is the President of the Mt. Pleasant Neighborhood Association and is on hand to share concerns related to Cutler Street. She noted that neighborhoods are intended to allow for quite enjoyment but with changing social trends, some areas don't allow for that. She added there are issues up and down Cutler Street including fear of vandalism, drug sales and code issues. She added that she observed a dirt bike driving up and down the street and all of these issues impact home values. She noted the police are called and they make arrests and the court issues a slap on the hand. She suggested perhaps fines could escalate to stiffer penalty to improve results. She then noted the Laundromat on Norwood Avenue is open 24 hours a day and suggested having a closing time similar to Stewarts at 11:00 p.m. would help improve conditions for residents in the neighborhood. She closed be stating it's time to take a bite out of the criminal.

Stephanie M. Bandosik, Schenectady - Noted she is a resident of Bellevue, a progressive liberal and not a registered democrat. She then thanked the Council for their efforts on restricting the sale of fireworks in the city. She noted the sale of fireworks are bad for many reasons and she hopes the new restrictions help. She noted ongoing efforts to speak about the need for sanctuary in Schenectady and then shared a related Facebook status posted by a solidarity worker. The status noted a border agent who questioned the immigration status of travelers and demanded to see their papers or they would call ICE. She noted the status indicated the next person did not speak English, however the person was here legally. She added after the individual's son spoke with the officer the gentleman was let go with a warning. She added this is not the kind of America we want to live. She reiterated her call for Schenectady Police not to ask about immigration status or to have a registry. She closed with a quote from Mark Twain highlighting the need to be loyal to the government when it deserves it.

Ellie Pepper, Schenectady - Noted her intent to share a new report with facts and laws related to sanctuary city issues that has the support of six democratic Attorney Generals. She noted some of the highlights include the feds are placing local authorities in an impossible situation. She noted if municipalities refuse to coop with federal immigration officials they are labeled a sanctuary. In addition she added if a local authority holds someone on an immigration related issue they risk a lawsuit based on engaging in unconstitutional activities. She then provided copies of the report and a chart which listed the monetary damages paid out by local municipalities related to settlements on this issue. She then noted limiting local law enforce on immigration issues can help increase community cooperation in the justice system. She noted the need to decouple federal law enforcement with local policing. She then shared a survey of immigrants which found immigrants are often survivors of domestic violence and abuse. She closed by asking the Council to consider making Schenectady a sanctuary, adding she is a progressive and unaffiliated.

Dean Mirabito, Schenectady - Noted he chose to speak tonight because he believes it's the right thing to do. He added that he does not live in fear and that he and others on the Council experience a certain level of privilege. He noted that he has a strong desire to support those less fortunate and that by making Schenectady a sanctuary this can be accomplished.

Jamaica Miles, Schenectady - Noted prior advocacy related to the Schenectady city school district and the need for increased funding. She noted although the district received an increase in the 2017 state budget the district is still underfunded by 40 million dollars. She added there is still more work to do to address inadequacy in our schools. She then noted the Schenectady County Human Rights Commission will be hosting a breakfast to honor award recipients. She noted the overall goal is to treat people with dignity. She added if it is not the policy for Schenectady Police to inquire about immigration status to put it in writing. She referenced the Memorial Day ceremonial resolution adding that her father is a veteran. She added there are many veterans who are green card holders, after serving in conflicts, lose their status and are deported. She noted veterans are allowed back in the country after their death, buried with military honors, but officials won't allow them to live in U.S.

Susan DuFour, Schenectady - Noted Riverside Park is a selling point for Schenectady. She noted the park brings in investors and visitors. She added the park is near downtown and visitors should not encounter a pump station at the gateway of the park. She noted with all the new development in Schenectady she expects more people will come to enjoy this green space. She noted her concern about information provided about the new pump station. She added that she is aware of engineering reports that say the old station is viable and suggested an independent engineer should review the situation. She noted a historic New York City pump station which was retro-fitted and is working today. She referred the advisory committee which was involved in the process asked about placing the pump station and underground pipes outside of the park but did not receive an answer. She added the residents on these committees should be given information. She closed by asking the Council to help save the park.

David Giacalone, Schenectady - Noted he is a resident of the Stockade and recently spoke with people in Riverside Park. He added after talking with them briefly they agreed to be in a photo with a sign that read "no new pump station in our park". He noted this park is wonderful and the new pump station would harm it. He added the park offers unique views and has unique features like the Governor Yates brick wall. He noted it makes no sense to obstruct the view when there are other options and that these issues must be mitigated if possible. He asked the Council to acquire legal advice and reconsider.

Seeing no other speakers come before the City Council, Ms. Perazzo declared the privilege of the floor, regarding general City business, to be closed.

MISCELLANEOUS BUSINESS OF THE COUNCIL

Mr. Riggi - Thanked tonight's speakers. He then referenced the issues raised in Mt. Pleasant adding concerns related to Norwood Avenue which he has been aware of since 2014. He noted the Stewarts may own the property with the Laundromat. He noted there are quality of life issues with patrons driving up with loud music. He noted Ms. Smith's concerns related to Cutler Ave. He added perhaps the Zoning Department can check regarding the Laundromat operating 24 hours a day. He noted these issues impact the elderly residents in the area and their need to stay in their homes. He added he would continue to be in contact with the Schenectady Police Department related to ongoing issues on Norwood and Cutler Ave. Regarding the pump station he noted it's important to preserve the park and he feels the old pump station can be retrofitted. He noted the need for creativity and that previous information related to flood damage to the pump station was unclear. He noted the need to save the park and have further discussions.

Ms. Zalewski-Wildzunas - Thanked tonight's speakers and then recognized the Woodlawn Neighborhood Association for their annual garage sale weekend. She commended the volunteers and noted proceeds help to support redevelopment in the park. She noted her attendance at the Valor Awards service hosted by the Schenectady Police Department adding the Police and Fire departments do a great job for the city. She noted contracts are in place for both departments.

Mr. Polimeni - Noted this is infrastructure week and spoke on the Mayor's smart cities initiative. He noted the effort includes expanding broadband in the city which would have an economic impact on the city for years to come. He added it is important to work on this initiative and with it, Schenectady can help lead the way on manufacturing and technology. He added the program would offer residents more services including free Wi-Fi in certain areas. He then noted attending the flag raising ceremony in Bellevue and that it was nice to see veterans recognized at event.

Mayor McCarthy - Thanked the City Council for supporting the refinancing on the bond which he said would save taxpayers millions of dollars by taking advantage of favorable interest rates in the market. He also thanked the speakers and noted ongoing work on the pump station. He added the scope of work on the project has changed and a consent order was obtained from the DEC. He noted he also attended the Bellevue flag raising event and the food truck rally which benefited the ARC. He added the event was a success and lots of good things are happening in the city.

Ms. Perazzo – Thank tonight's speakers adding that she will have the packet discussed tonight by an earlier speaker scanned and sent out to the Council. She noted a recent invite from Union College students for a Q&A that several Council members attended. She noted it was a great conversation and that it's good to see the students are bonding with the community and want to be part of it. She noted the Vale Park Urban Farm is a great space in the community which is run by volunteers. She encouraged residents to check it out, get involved and to purchase a share for \$25. She noted the Historic Preservation Awards will be hosted on May 25 recognizing restoration projects in the Stockade and beyond. She then thanked veterans for their service and encouraged residents to enjoy their weekend and to remember our veterans.

Adjourned:

Seeing no further business to come before the City Council, Ms. Perazzo asked for a motion to adjourn the meeting. The motion was moved by Mr. Mootooveren and seconded by Ms. Zalewski-Wildzunas. The meeting was adjourned at 8:40 p.m.

A true record

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

By Charles Thorne

Schenectady City Clerk