

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

February 10, 2014

The City Council Meeting was called to order by the City Council President Margaret King at 7:08 p.m. in Room 209, City Council Chambers at City Hall.

Ms. King called on Rev. Richard Carlino, Chaplin for the Schenectady Fire Department who then provided the invocation.

Ms. King called on former Fire Chief Michael Della Rocco 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 Carl Erikson, Margaret King, John Mootooveren, Leesa Perazzo, Marion Porterfield, and Vincent Riggi

Also Present – City Clerk Chuck Thorne, Corporation Counsel John Polster and Mayor Gary McCarthy.

At this time Mayor McCarthy conducted the swearing in ceremony for the new Schenectady Fire Department Chief Raymond Senecal, Assistant Chief Michael Gillespie, Deputy Chief Michael O'Clair, Captain Christopher Keough, Captain Michael Angelozzi, Lt. Matthew Reinemann and Lt. Joshua Canelli. Then Fire Chief Raymond Senecal extended his gratitude to the Mayor, his family, former Chief DellaRocco and the department for their service and commitment to the community. He noted his commitment to maintain a physically fit department and ongoing professional services to the community.

PUBLIC HEARINGS:

1. Regarding a Proposed Ordinance Amending Section 228-82 of the Code of the City of Schenectady Relative to the Regulation of Sidewalk Cafes.

Jason Planck, Schenectady – Regarding the proposed ordinance noted some attention needs to be given to egress problems. He wants to make sure there is accessible seating for the disabled. He added five feet is in the proposal and that is too narrow. He added if five feet is to the edge of the curb then there needs to be an additional foot. The regulations note this he reports. There is also a tax credit of \$15,000 but he does not have the documentation on hand for that. He will however provide the information to the City Clerk and Law Department. He noted there will be a free webinar on April 4 which will cover the new ADA standards. He added the ADA standards are part of the Civil Rights law which does not allow for alterations to be grandfathered in. He noted the NYS Building Code is more stringent than Federal regulations. In closing he noted the restaurant owners need to make sure there is accessible seating at these sidewalk cafés for persons with disabilities.

Seeing no further speakers signed up to speak on the above noted public hearing, Ms. King declared the public hearing closed.

APPROVAL OF MINUTES:

Ms. King asked for a motion to approve the minutes from the January 27, 2014 meeting as submitted by the Deputy City Clerk; Mr. Riggi made a motion to approve the minutes, Ms. Perazzo seconded the motion.

COMMUNICATIONS:

Communications Presented to the City Council for Monday, February 10, 2014

Official:

From the Mayor a list of appointments dated February 10, 2014.

General:

Received letter from American Legion Post 1002 extending their gratitude for the recent donation from the City.

Received letter from American Legion Post 1005 extending their gratitude for the recent donation from the City.

Received letter from American Legion Post 1485 extending their gratitude for the recent donation from the City.

Petitions:

None

COMMITTEE REPORTS:

Ms. Porterfield – Parks & Recreation - Noted that February is Heart Health Month and Ellis Medicine is hosting heart disease screening clinics for woman which can be scheduled Monday through Friday from 8:30 a.m. to 3 p.m. by calling 518-243-3333. She added heart disease is the number one cause of death for women and on February 7, there was an awareness event entitled, "Go Red for Women". She closed by noting two female acquaintances both recently had a heart attack and only one survived. She encouraged residents to be healthy and get their heart checked.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

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

Mary McClain, Schenectady – Item #9 - "Regarding Senator Tkaczyk's bill it's always a good thing to save money. There is no need to hold two primaries in one year. If a second primary is forced on the City then the state should pay to hold it. I support the bill and while Council is considering this bill I want to suggest two other issues for your consideration. Please take a public stand in support of raising the minimum wage. Resolve to stop the practice of padding pension benefits with overtime money for the last year of employment. That is what I would do if I held a Council seat. For me a Council seat means a platform to work for change. It means access and open doors. It means the availability of official stationery for writing letters, etc. Not bad. It doesn't mean letting taxpayers pay for my medical coverage."

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:

Ms. Porterfield made a motion that Council approves the Consent Agenda and the motion was seconded by Ms. Perazzo.

Consent Agenda –

Ordinance No. 2014 – 04Adopted Unanimously
Ordinance No. 2014 – 05Adopted Unanimously
Ordinance No. 2014 – 06Adopted Unanimously
Resolution No. 2014 – 30Adopted Unanimously
Resolution No. 2014 – 31Adopted Unanimously
Resolution No. 2014 – 32Adopted Unanimously
Resolution No. 2014 – 33Adopted Unanimously
Resolution No. 2014 – 34Adopted Unanimously
Resolution No. 2014 – 35Adopted Unanimously

Resolution No. 2014 – CS - 04 – A Resolution Authorizing the Mayor to Enter into an Agreement with Erdman Anthony for the Design of Improvements to the Schenectady Municipal Golf Course.

The motion was moved by Ms. Perazzo and seconded by Mr. Mootooveren.

4:2:0

Voting AYE: King, Mootooveren Perazzo and Porterfield

Voting NAY: Erikson and Riggi

Mr. Erikson – He supports the plan to complete improvements to the golf course however he objects to the process regarding the award of the contract. He noted the issue has been discussed in committee. He is most concerned about the scoring specifically related to the pricing. He added the process lacks detailed definitions associated with the rating scale. He noted the scores associated with pricing were all over the place and not linear. He recommends the item should go back into committee. At this time he indicated he lacks confidence in the staff recommendation regarding the award of the contract for the improvements.

Ms. Perazzo – Noted she has spent time with City staff regarding the proposals and has talked about the process. Noted she is comfortable with the rating process and recognizes that price is important. She added a full review of the proposal is important as well. She noted there is room to tighten up the process to ensure communication to the general public is accurate. She closed by noting the City staff involved in the process are professional and committed to ensuring a fair result.

Ms. Porterfield – Noted this is the second time this contract has come before the Council. She noted she has spent time with City staff in reviewing the proposals. She recognizes the Council and City staff is looking to tighten up the process. Regarding this contract award she believes the City staff did a good job reviewing the proposals and she is comfortable with the outcome. She noted a shared goal to ensure a fair and equitable process related to RFP's.

Mr. Riggi – Noted he has to many concerns related to the process and that parts of the review are arbitrary. He noted he is unable to make a decision with the information he has on hand. He noted the contract award is going to a proposal which cost an additional \$40,000 over the lowest bidder. He would like to see more discussion related to the proposals given that the scores are all over the place.

Mr. Mootooveren – Noted that he has some concerns related to the process however a low bid must meet the basic requirements in order to be eligible for the contract.

Ms. King – Noted for the reasons highlighted above she votes in favor.

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 – Noted February is Jewish Disability Awareness Month. He added February is your last chance to file for tax credits. He encouraged residents to get their assessments ready. He added with a twenty percent reduction at the 2700 block of State Street the full City needs to be reassessed. He noted everyone needs to have access to the lower reassessment value. He noted a recent Metroplex report makes wild accusations of 500 new jobs. He added where are the jobs for minorities and persons with disabilities? He noted he has sat through RFP's hearings and the process is ripe for a civil rights law suit. He added, Council members Riggi and Erikson are right, the standards need to be set up before the RFP's go out and you need to take the lowest bidder. He noted if you let staff make arbitrary decisions what good is it. He closed by stressing the need to start increasing the number of jobs for the disabled.

P.D. Voorhis, Schenectady – Noted the vacant Council seat is an unhealthy situation which we went through before. She added quires for more information were not answered in a satisfactory manor. She noted former Council member Blanchard was self-deprecating because of conditions which exist in the City. She added, "It's our secret and we don't want to talk about it" and it is obvious to a lot of people that we would not be represented. She noted she is not pleased with what she is hearing. She closed by suggesting a change to the Charter so that the next highest vote getter takes the seat regardless of party.

Joy Hall, Schenectady – Asked the City to put up more pedestrian lights. She noted too many people are getting hurt. She added seniors are having a hard time. She noted the City staff collecting garbage do a lot and deserve a pay raise. She closed by asking the Council to take action.

Lou Grasso, Schenectady – Noted he is a business owner and advocate for the Woodlawn Neighborhood. Speaking on the recent vacancy of Council member Denise Brucker he urged the City Council to follow through with the appointment of Ed Kosiur to the vacant seat. He noted Mr. Kosiur gets things done and works well with others. He added Mr. Kosiur does a great job with the youth program which he has observed in the City parks. He closed by reiterating he would like to see Ed Kosiur representing Woodlawn on the City Council.

Chris Morris, Schenectady – Noted she is the Director of Schenectady Landlords Influencing Change (SLIC). She added in November 2012 SLIC proposed that the long dormant Housing Standards Review Board be reinstated. She added the board would be a valuable opportunity for residents to air grievances. At the time, she noted Ms. Perazzo requested feedback from SLIC related to the board which was provided. She noted she is pleased to hear the Council is moving forward on reinstating the board and she has recommendations she would like to submit to the Council for consideration. (1) Recommendation to have two landlords on the board; (2) Code officers uphold constitutional rights of all persons; (3) code officers follow standard operation procedures; (4) Establish due process for those who have grievances and thus related accountability if a code officer was not professional; (5) Make sure the right party is cited for the violations; (6) Make sure the permit is valid and allows for mediation; (7) Make sure the citation refers to the specific section in the City Code which the violation is being issued from; (8) statement should include the option for the person cited to appeal with the appropriate contact

information to follow up further; (9) Financial assistance for those landlords who struggle with ongoing expenses and repairs. In closing she offered the ongoing support and resources of SLIC to assist with the successful launch of the Housing Standards Review Board.

Sharron-Linn Schmidt, Schenectady – Noted she is the President of the Mt. Pleasant Neighborhood Association. Here to share a few announcements: On February 13, there will be a Family Health Night hosted by Ellis Medicine's Community Health Program. The event will be at 1028 Ostrander Place and will focus on health related activities and outreach, The Enhanced STAR application is due in the Assessor's office by March 2, The Real Property Tax Grievance Day will be on May 27, but the form RP524 must be submitted by March 2, The Civilian Police Review Board is taking resumes for board openings which can be submitted to Council member John Mootooveren, The Schenectady Neighborhood Watch is also looking for volunteers and they meet monthly at the Schenectady Police station. More information available at 505-8912, There will be a Rise Training for retired citizens on March 27, which will last for seven weeks. The program is free and you must complete a phone interview with a deadline of March 3, The Mt. Pleasant Neighborhood Association meeting will be on March 13, with special guest Larry Spring, Superintendent of Schenectady City Schools talking about the capital project, Re-Tree Schenectady is looking for more volunteers, On May 3rd there will be a Mt. Pleasant Clean-Up day with more information to come.

Mary McClaine, Schenectady – “At the last Council meeting, the Mayor talked about negativity. Mr. Mayor, is this vacant seat a positive for the community? I call it an assault on the constitution. The vacant seat should have been resolved last July when candidates were circulating petitions to access the ballot box. The Democratic Mayor allowed this vacancy to happen. The Democratic Party operatives allowed it to happen. The Democratic Council get alongs allowed it to happen and the departing Democratic Council woman made it all possible. If the departure had been for 14 years of military service the soldier would have been dishonorably discharged because she disenfranchised an entire community. A condition the Senator wants to avoid in her bill that Council passed a few minutes ago. She specifically says in her press release “we cannot allow the disenfranchisement of our soldiers who fight for our right to vote.” She needs to come and take a look at this empty seat and know that it is happening in Schenectady right now and her Democratic party is responsible for it. The Democratic Party has denied the citizenry access to the ballot box for that Council seat. The Democratic Council has interfered with the voter's choice. Council plans to make the choice for them and their choice is an individual who if reports are accurate was educated to learn a trade in the skill of plumbing. If appointed it would mean that the majority of City officials do not hold four year college degrees. Occupational diversity is acceptable but there is something to be said for a resume whose applicant holds an advanced degree. I am interested in the vacancy. I have been involved with this City for 34 years. How's that for experience.”

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

Ms. Perazzo – Extended her congratulations to Mt. Pleasant for having so many good programs happening you cannot announce everything in three minutes. She noted the general duties of being a Council member are not always pleasurable but tonight was a pleasure. She extended her congratulations to the new Fire Chief and staff for coming up through the ranks. During the

ceremony she was able to reflect on the important service our public safety departments provide to the residents of the City. She closed by noting the department personnel's ongoing personal sacrifice to the community is very much appreciated.

Mr. Riggi – Noted an announcement for Bellevue Inc. which will be hosting a meeting on Thursday, Feb 13 at 7pm at St. Paul's Church at 1911 Fairview Avenue, guest speakers on Schenectady Recycles and Ruth's Place, a new business on Broadway. He extended his congratulations to the Fire Chief and related personal. He recalls the new Chief and Assistant Chief playing little league as children and to see the success they have had in their life is a pleasure. Regarding Mr. Grasso's statement he noted we are all Council people at large and we don't represent a specific neighborhood. In closing he noted whoever does get appointed it should not be based on where the person lives but what they can do for the City as a Council member.

Ms. Porterfield – Noted the Neighborhood Association in Hamilton Hill is working to clean up the neighborhood. She added awards were given out to people who helped out in cleaning up of Hamilton Hill and that the Hamilton Hill Improvement Corporation is being brought back. She reiterated positive things are happening in Hamilton Hill. She extended her congratulations to several women that received awards from the YWCA for their service to the community. She also stated that because it is Black History Month, SCCC will be hosting free events for anybody to attend including a screening of the Butler.

Ms. King – Repeated the American Made Movie event raised a \$1,000 and she extended her thanks to Chad Putman for organizing the event. She noted that there is a presentation for a New York Rising Community Reconstruction Program at the Schenectady County Library on February 13 at 6:00 p.m. The group seeks to help communities that were affected by Superstorm Sandy, Hurricane Irene and Tropical Strom Lee.

Mr. Polster – Informed the City Council that a Council seat cannot legally be left vacant. According to Charter 13-2(E), if a vacancy exists in the Council, the Council "shall" appoint a qualified person to fill the seat.

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. Riggi and seconded by Mr. Mootoveren and the meeting recessed at 8:21 p.m.

A true record



By Chuck Thorne
Schenectady City Clerk