

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

March 10, 2014

The City Council Meeting was called to order by the City Council President Margaret King at 7:07 p.m. in Room 209, City Council Chambers at City Hall.

Ms. King called on Rev. Felicia Collins from Bethel AME of Schenectady who then provided the invocation.

Ms. King called on Ed Perkins 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, Ed Kosiur, 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 Ms. King introduced Honorable Gary Hughes who conducted the swearing in ceremony of Edward Kosiur to the City Council. Mr. Kosiur extended his gratitude to his colleagues on the City Council, Mayor McCarthy, and his family and friends for their ongoing support. U.S. Congressman Paul Tonko extended his congratulations to Mr. Kosiur regarding his appointment to the City Council.

At this time Ms. King introduced Jennifer Lawrence & Cymone Sammons from Northeast Parent & Child Society who presented on their Home Energy Connection (HEC) program. HEC offers a variety of weatherization services to residents and non-profit housing developers on a fee-for-service basis. HEC's central goal is to address the serious need for low-cost energy efficiency upgrades in Schenectady, while providing employment opportunities for newly certified weatherization workers and generating revenue to support additional program activities.

At this time U.S. Congressman Paul Tonko and Deputy City Clerk Chad Putman presented a check to Jennifer Lawrence with Northeast Parent & Child Society – YouthBuild Schenectady from the American Made Movie Event proceeds. The check totaling, \$1,097.50 is intended for a one-time scholarship for a YouthBuild participant pursuing a Manufacturing Technology program at Schenectady County Community College.

At this point, Ms. King asked if there were no objections, she would like to take agenda item number 7 & 10a out of order. There were no objections.

Resolution No. 2014 – 56 – A Resolution Recognizing the Ancient Order of Hibernians. Representatives from the Hibernian extended their gratitude to the Mayor and City Council for the resolution. Farrell School of Dance then performed a traditional Irish dance for the City Council in celebration of St. Patrick's Holiday.

The resolution was moved by Mr. Kosiur and seconded by Mr. Erikson. The resolution passed unanimously.

Resolution No. 2014 – 57 – A Resolution Proclaiming March 22, 2014 as Phagwah/Holi-Hindu Spring Festival Day in the City of Schenectady. Representatives from the Hindu Religious community extended their gratitude to the Mayor and City Council for the resolution.

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

PUBLIC HEARINGS:

1. Regarding an Ordinance Amending the Code of the City of Schenectady Relative to the Installation of Water Meters.

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

2. Regarding an Ordinance Amending the Code of the City of Schenectady Regarding Having Municipal Golf Course Rates and Fees set by Resolution.

Jason Planck – Schenectady – Noted persons with disabilities can secure a disability card through New York State Parks and Recreation Department which can be used to verify disability. With regards to fees he noted discounts should be tied to income levels and should not include discounts for people who don't need them. He noted a previous effort to allow residents to apply for resident cards at the City Clerk's office. The resident card qualifies individuals for a discounted rate to play on the course. He reports the municipal course club house is not accessible for persons with disabilities. He noted the City Clerk at the time indicated this would not be an additional burden on the office.

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

3. Regarding an Ordinance Amending the Code of the City of Schenectady Relative to Prohibiting the Sale of Single Cigarettes.

Joyce Wachala – Schenectady – Reported the Schenectady County Department of Public Health has not received any formal complaints regarding the sale of single cigarettes in the City. She added there is a process in accordance with State and Federal law to be followed where a merchant can lose their license to sell tobacco if complaints of such activity are confirmed. She noted the creation of an additional City ordinance will place an undue burden on the Police Department. She added the City has a \$13 million dollar Center City building and needs to put more properties on the tax rolls. She closed by noting reducing taxes would be in the best interest of City residents.

Judy Rightmyer – Schenectady – Noted she is with the Tobacco Free Coalition which is a grant funded program which serves Schenectady County. She noted statistics indicate 37 percent of City resident's smoke and it is one of the objectives of the coalition to reduce that number. She added 90 percent of smokers start before the age of 18 and once someone reaches the age of 26 it's very unlikely they will start to smoke. She noted the New York State tax on cigarettes at \$4 a pack is also a deterrent. She suggested another way to reduce tobacco use in the City is to limit the number of retail establishments licensed to sell tobacco. She added Schenectady County has 186 retailers licensed to sell tobacco and 155 of which are located in the City of Schenectady. She noted the City can also ban smoking in public spaces and the use of buy-one get-one free coupons.

Erin Buckenmeyer – Noted her affiliation with Ellis Medicine and the recent U Matter public health needs survey which interviewed 2000 City residents. She noted 37 percent of respondents reported to be smokers compared to 18 percent county wide. She noted Albany and Rensselaer

both have lower smoking rates than Schenectady. She added 50 percent of those interviewed reported attempts to quite in the last year. She noted her support for the ban on the sale of single cigarettes in the City.

Frank Wicks – Noted he had submitted a letter to the Times Union recently related to the topic. He added the proposed ban on the sale of single cigarettes in the City is a feeble crime fitting tool. He noted the law targets youth. He added he is 75 years old and he has never smoked. He noted he is not in favor of the proposed ordinance adding the current State and Federal law addresses the issue.

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 February 24, 2014 meeting as submitted by the Deputy City Clerk; Mr. Riggi made a motion to approve the minutes, Ms. Porterfield seconded the motion.

COMMUNICATIONS:

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

Official:

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

A letter from Commissioner Olsen recommending the award of purchase to Furnishing and Installing Sideload Dropframe Refuse Packer Body for C.E.J.J., INC of Schodack Landing, New York in the amount of \$164,000.00.

General:

None

Petitions:

None

COMMITTEE REPORTS:

None provided.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

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

Jason Planck, Schenectady – Thanked City Councilmember Ms. Porterfield for her efforts to keep persons with disabilities on the Affirmative Action Board. He noted he disagrees with the Affirmative Action Officer regarding the position that you need to have qualified residents on the Affirmative Action Board. He reported filing a FOIL request and thus obtaining the Affirmative Action Officer's resume in 2010. He added the Affirmative Action Officer does not meet the qualifications for the position and the County attempted to exempt the position. Also he reports the Affirmative Action Officer has recommend the Executive Director of the Schenectady

County Human Rights Commission should be on the Affirmative Action board however he reports this would be a conflict of interest. He noted the City Council rebutted the Affirmative Action Officer for cut & pasting CDBG applications. He closed by noting the DOL issued new 503 regulations which go into effect on March 14.

Mary McClaine, Schenectady – Item #2; “May I suggest that when information is released for agenda items that the material be legible. I was not able to read the paper that contained the numbers for the Bond Anticipation Notes and Bonds. This is a copy of the release. This is what I had to do to read it. Blow up the page.” Item #4; “Right now the Open Stage Media programming is flawed. There is no sound for Angelo Santabarbara’s program or Jim Tedisco’s program. Some people have told me they stopped watching Council meetings because they cannot get the sound. There is an audio problem with City Council and Committee meeting programs. Before the City executes a contract with Open Stage Media the problem needs to be corrected.”

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

Consent Agenda –

- Ordinance No. 2014 – 08Adopted Unanimously
- Ordinance No. 2014 – 09Adopted Unanimously
- Ordinance No. 2014 – 10Adopted Unanimously
- Resolution No. 2014 – 58Adopted Unanimously
- Resolution No. 2014 – 59Adopted Unanimously
- Resolution No. 2014 – 60Adopted Unanimously
- Resolution No. 2014 – 61Adopted Unanimously
- Resolution No. 2014 – CS - 05Adopted Unanimously
- Resolution No. 2014 – CS - 06Adopted Unanimously
- Resolution No. 2014 – CS - 07Adopted 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:

Joe Rodriguez, Schenectady – Noted safety concerns and pot holes on Moyston Street. He asked the Council, when was the last time they had visited the street. He referenced another neighbor in attendance related to their safety concerns on the street. His neighbor noted the residents on the street are paying taxes and there is no work being done on Moyston Street. He noted 1575 Moyston Street is very bad, siding is falling down, and animals are in and out of building. He closed by asking if the City cares about Moyston Street and the residents on it.

Joy Hall, Schenectady – Noted her concerns about safety on the roads. She added there are pot holes on Lark Street, Crane Avenue and Foster Avenue. She noted there needs to be more walk lights on City street corners and something needs to be done with drivers who speed.

Jason Planck, Schenectady – Encouraged Schenectady homeowners to grieve their property tax assessments and force the City to complete a new round of property assessments. Noted the Schenectady City School district is losing financial resources with the reduction in property assessments. He noted the school district is then forced to come up with the lost revenue. He noted the City has money to give raises and tax breaks to developers but does not do the same for residents. He noted the property assessments are really high given they were last assessed at the height of the market. He closed by stressing if 400 property owners filed grievances it would force the City to complete a reassessment.

Harry Brand, Schenectady – Noted he would like to see the whole City Council working together. He added we now have seven Council members and the Mayor and the residents need to be represented. He stressed the idea that there is no need for private meetings between Council members. Noted that Mr. Riggi should not be left out of discussions and when this happens the City doesn't look good. He added there are several homes for sale and the City Council members are running people out of town. He noted the City can't afford high salaries and it's time to get down to business and work together. He noted the streets are not drivable and nothing is getting accomplished. He noted that the Oak Street Bridge is closed to traffic and there are a lot of other issues the Council has not yet addressed.

Mary McClaine, Schenectady – “I was astounded by the wording of the Resolution of the St. Patty's Day celebration. It reads in part – ‘Resolved further, that the City of Schenectady declares that on Monday, March 17, 2014, St Patrick's Day shall be celebrated throughout the City of Schenectady in the furthermore of fair and reasonable immigration reform that includes a path to citizenship for undocumented residents.’ Need I remind Council that members took an oath of office to uphold the law and that undocumented people are here illegally? Who is giving safe harbor to undocumented residents in Schenectady? My father came to this country via Ellis Island. He often talked about the 2 lines – One line was for those who were fit and could continue to their destination, the other line was for those found to be ill. They were returned to their homeland. But in all cases, they had waited their turn to enter the U.S. The modern immigrant thinks all he needs to do is run across a bridge in Texas, climb a wall in Arizona or ferry himself over the Gulf of Mexico and once on dry land, entitled to stay here. Wrong. They need to do what others did. Wait their turn. But this Council wants to give citizenship to undocumented residents. Who are they? Council, you have crossed the line on this one. You have some explaining to do to the Immigration Department.”

Sharron-Linn Schmidt, Schenectady – Noted she is the President of the Mont Pleasant Neighborhood Association. She also announced the March 13 meeting will include a presentation by Schenectady City School Superintendent Larry Spring. She added the topic will be on phase one of the planned Capital Project being taken on by the district. She noted the project will have minimal impact on home owners. She noted as a result of the community workshop hosted by the Neighborhood Association there will be a sports community sign up day. The event will be held at Bridge Church on Crane Street and will include signups for baseball, boxing, tennis and other sport programs. She asked for participants to contact her or the church to help out. Lastly she noted on Good Friday the Neighborhood Association and Bridge Church will host a cross walk at 10 a.m. The group will be traveling from church to church. Currently there are five churches involved and they are looking for more. She closed by asking local children interested in sports programs to come out for event.

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 – Highlighted the importance of public comment and cautioned speakers from using the privilege to make targeted slanderous comments. She added it's important for speakers to present facts and not just attack. She then congratulated the Mayor on the recent HUD Loan award which includes targeted funds to demolition blighted property in the City. She added some of the funds will be used to cover expenses related to opening a Community Loan branch in the City. The Community Loan Fund will be located at 920 Albany Street and will have a grand opening on March 20 at 3:30 p.m. She added the BrushOut Graffiti program will be starting back up in the spring and is no cost to the City. If residents would like to volunteer and be part of the program they can obtain her contact information on the City website.

Ms. Porterfield – Extended her gratitude to Northeast Parent & Child Society for providing the presentation on the weatherization program at the start of the Council meeting. She noted the program contact Cymone Sammons can be reached at 372-4100 (x 3521) for more information. She noted an additional program for homeowners facilitated by St. Madelyn's Church who is partnering with local youth programs to assist with area work camps. She added the program is looking for residents who need basic home repairs. If anyone needs free repairs she asked them to contact Talia Hadley at 355-3115. She noted this program will take place in July and the deadline for sign ups is April 1. She commented on Moyston Street, adding she had paid a visit to the street several times and there are concerns related to the condition of the street and some of the properties. She noted she is looking for City staff to take a look at the street and to fill in the potholes on that street.

Mr. Erikson – Noted City Council regular, Joy Hall continuously brings up concerns about safety on the City streets and sidewalks. He noted there are ongoing issues with traffic and speeding. He added some people are driving too fast. He noted with spring coming perhaps the traffic division can focus on addressing speeding in the downtown corridor. He suggested patrols can focus on dangerous drivers. He noted this is the season for potholes. He is hoping the City will be able to address the paving strategy earlier this year to avoid seasonal issues. He closed by congratulating Mr. Kosiur on joining the Council.

Mr. Kosiur – Noted he appreciates the support from the Council and his family and friends. He recently assisted a 95 year old resident regarding the Senior Enhanced Star Exemption renewal process. He added the gentleman was bed ridden and did not have a photo ID. However within 30 minutes of working with the City Assessor's office they were able to resolve the issue. He noted there are a lot of senior citizens who do not have the appropriate ID to complete the renewed Star Exemption process. He asked them to reach out to the Assessor's office for help. He then extended his thoughts and prayers to St. Anthony's congregation related to a recent fire in the church. He then focused on the school district and the Capital Project which is up for a vote on Tuesday, March 25. He noted there are a couple more information sessions, the last one taking place on March 18th at the Central Park Middle School on Elm Street. He encouraged residents to take a look at what the project entails. He added the school district also offers budget workshops which require participants to make difficult decisions including cuts. He added the workshop will take place on March 20 at 6:00 p.m. at the MLK School. He closed by noting the DSS building at 797 Broadway was unveiled over the weekend and the scaffolding is down. He noted the building has a new gray facade. He noted parking remains an issue with the adjacent renovations taking place on the future YMCA building.

Mr. Riggi – Noted Bellevue Preservation will have its monthly meeting on March 13 at 7 p.m. at 1911 Fairview Avenue. He noted speakers from Schenectady Recycles and Ruth's Place will be on hand. He noted the group is looking to sponsor the Bellevue Farmers market again this summer. He asked the Mayor and Counsel to address concerns related to County Waste collecting at 5:00 a.m. which is disruptive to neighborhood residents. He noted residents are looking for relief and he added the practice is illegal. He noted the City Ordinance indicates waste collection can start at 6:30 a.m. He noted the Moyston Street problems continue. He noted if there is a snow storm the City needs to make sure the area is cleared to ensure resident safety. Regarding the St. Patrick's Day Resolution, and the part referred to by a prior speaker, he noted the language was taken out by the Council.

Mr. Mootoveren – He noted a recent visit to Moyston Street and added he has brought the pot hole and safety concerns to the Mayor's attention. He announced the Mont Pleasant Neighborhood Association will meet on March 13 at the Tabernacle Church on Ostrander Place. He then noted the Bridge Church will have an All Sports Info & Signup Day which is free. For more information residents can contact 864-5849. He added the Hindu Society Annual Spring Holiday will take place on March 22 from 12:30 p.m. to 4 p.m. with a parade and cultural event in Grout Park. He noted praise for the Contractor program following a recent visit to 744 Hamilton Street. He noted Simon Construction completed quality renovations to the property.

Mr. Polster – Noted there was a draft resolution concerning the St. Patrick's Holiday in the committee backup. He noted the language in question was deleted from the ceremonial resolution.

Mayor McCarthy – Noted the City crews are working on potholes on a neighborhood by neighborhood basis. He encouraged residents to call in pot holes. He then noted a recent visit to Moyston Street. He added the street recently experienced a devastating fire and there are plans to address the street surface. He noted the pending ordinance regarding the sale of loose cigarettes is an attempt to cut down on problem behaviors taking place at small corner stores He noted ten of these stores guaranteed 3,400 calls over two years which is a drain of public safety and amounts to babysitting. He closed the pending ordinance is part of broader approach to improve neighborhoods and its important the small corner stores play by the rules.

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. Mootoveren and the meeting recessed at 8:35 p.m.

A true record



By Chuck Thorne
Schenectady City Clerk