

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE
SCHENECTADY CITY COUNCIL – JUNE 12, 2006**

The meeting was called to order by Council President Mark W. Blanchfield at 7:00 P.M. in Room 209, City Council Chambers at City Hall.

Mr. Blanchfield called upon Rev. Justin Meyers, First Reformed Church, to deliver the Invocation.

Mr. Blanchfield then called upon The Ruscitto Sister to lead the Pledge of Allegiance.

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

Present – Councilmembers Joseph L. Allen, Frank J. Maurizio,
Barbara Strangfeld, Gary R. McCarthy, Margaret C. King,
Barbara Blanchard and Mark W. Blanchfield

Absent - None.

Also Present – Mayor Pro-Tem Carl Olsen, City Clerk Carolyn Friello and
Deputy Corporation Counsel John Van Norden

At this point in the meeting, Mr. Blanchfield asked if there were no objections, he would like to take Agenda Item #16 out of order. There were no objections.

Mssrs. Allen/Allen invited Ruth Hahn to come inside the rail to accept a resolution celebrating the Hamilton Hill Arts Center's annual Juneteenth Celebration on June 17th and 18th, 2006. Ms. Hahn thanked the City Council for the resolution.

PUBLIC HEARINGS:

1. On a Local Law amending Chapter 234 regarding Real Property Tax Exemptions for First Time Home Buyers.

Mr. Blanchfield invited all who wished to speak on Public Hearing #1 to come forward (7:08 P.M.). Seeing no speakers, Mr. Blanchfield declared the public hearing closed at 7:09 P.M.

2. On an Ordinance regarding proposed amendments to Chapter 182 (Noise) of the City Code extending liability for violations to the owners of real property.

Mr. Blanchfield invited all who wished to speak on Public Hearing #2 to come forward (7:10 P.M.). The following speakers rose to be heard and their remarks are summarized:

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Don Largent stated that this nation was founded as being a free country, but, it does not include noise that keeps neighbors awake at night. Many years ago, a teenage dance hall in Lake George was in the news. A Noise Ordinance was passed by the town. If the owners left before closing time, the band's volume went up and nearby people lost sleep. Several times, the owner was put in jail, but, the musicians should also have been penalized. My suggestion is to also include those making the noise. The party noise from the Union Street Bed and Breakfast is an issue at this hearing, including its activities. Recently – while in Montreal, the signs at some of the motels advertised a lower price for a 4-hour stay. I am told that an article in the NY Post newspaper about a year ago told of an adult group and a school team at a tournament were staying at the same lodging facility. They were not separated, causing some problems. To limit or eliminate consenting adult activity may violate the U.S. Constitution. Several years ago, the Mayor of New York City closed most, if not all, places of adult activity. Shortly after was the yearly Portorican Parade where scores of, by standing women, had their clothes torn off of them. Was this the release of a build up of tensions? The T.V. coverage had to be greatly edited. To those DO GOOD neighbors and officials, the suppression of consenting adult activities may cause the build up of tensions and the disappearance of some nice young lady. Then, you can consider that your efforts might have contributed to that bad event. Information on a web site may be useful to this adult activity –

HYPERLINK "http://www.geocities.com/clydewalker" www.geocities.com/clydewalker 2002. Those interested can find the information themselves. Again, it is HYPERLINK "http://www.geocities.com/clydewalker" www.geocities.com/clydewalker 2002. To those neighbors, they might join the party as walk-ins. They could meet new friends

and maybe even like the events. Years ago, I head of a prank being done by those who had a high powered sound system in their car. In the middle of the night, they would drive to an intersection and play a recording of a bad crash. When the residents got up and out of their houses, these people were long gone. Possibly, your ordinance could include a phrase that would include this type of annoying behavior.

Sharon DeNovio stated that this is great for the city and please pass it.

Pat Zollinger, 150 Clement Ave., stated that these changes are going beyond proper limits. This is the worst piece of legislation that I have seen.

Dana Swalla, 1017 Phoenix Ave., stated that this is a necessary aid to people who have a habitual, noisy neighborhood. We need this legislation passed.

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Joyce Fordham, Union Inn, stated that we would like to have the Noise Ordinance expanded to 1:00 A.M. or 2:00 A.M. on weekends. We need to work as a team. The only person responsible for one's actions is ones-self.

Seeing no other speakers to come before the City Council, Mr. Blanchfield declared the public hearing closed at 8:00 P.M.

APPROVAL OF MINUTES:

Ms. King moved that the minutes of the City Council meeting of May 22, 2006 be approved as submitted by the City Clerk. It was seconded by Mr. McCarthy. Hearing no objections, Mr. Blanchfield declared the minutes approved as submitted.

COMMUNICATIONS:

Official –

From the Mayor, a list of appointments.

From the Department of Engineering, a letter recommending the amendment of the contract for the "2006 Street Paving Program" to Callanan Industries, Inc. increasing the amount by the sum of \$579,280,000.00 for a revised total of \$1,711,533.50.

General (Public Announcement)-

The Bellevue Preservation Association will hold its monthly meeting on Wednesday, June 14th, 2006 at 7:00 P.M. at St. Paul's Episcopal Church. The election of officers will take place. The guest speaker will be Dr. Joseph S. Gulyas, Chiropractor and Director of Northeast Spine and Wellness. There will not be any meetings during July and August.

The Bellevue Neighborhood Association will hold a meeting this Thursday evening, June 15th at the Bellevue Reformed Church at 7:00 P.M. The guest speaker will be Councilmember Gary R. McCarthy.

PETITIONS: None.

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COMMITTEE REPORTS:

Mr. Maurizio stated that he is positive that a new and approved Noise Ordinance will be adopted in 2 weeks. It still holds accountable of those causing the noise. He explained Agenda Items #2, #4 and #7 which was adopted tonight; also, there was a proposal to extend the moratorium on the conversion of existing homes to

increase the units. We have decided to stop until the Comprehensive Plan is completed. It will apply to mixed use unless a waiver is granted by the City Council.

Mr. Allen stated that the Craig Street Boy's Club will run Quackenbush Pool this year. I requested non-profits take on and maintain our pools. We also toured all the pools. Central Park needs a lot of work. no way will we open Woodlawn Pool this year, possibly next year. Bellevue is in much better shape and it maybe opened next year. Quackenbush Pool will open on time. Pools are an investment in our youth. I am, hopefully, that 3 pools will open this year.

Ms. Strangfeld reviewed Agenda Items #1, #6, #8, #9, #10, #11, #15, #17 and #16A.

Ms. King stated that the Public Service & Utilities Committee met and we discussed pedestrian crossing on Erie Blvd. There was an agreement to install timed walk lights, signage and monitor pedestrian traffic.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS):

Mr. Blanchfield invited all who wished to address the City Council on any item of the Legislative Agenda to come forward. The following speakers rose to be heard and their remarks are summarized:

Pat Zollinger, 150 Clement Ave., spoke in regard to the Noise Ordinance. Is changing this ordinance going to change anything?

Katherine Delain, 214 Liberty Street, said – I am happy that you are applying for grants for city pools, but, the Mayor's agenda doesn't include the other city parks. Some of us have been at the fore-front of trying to preserve Vale for a long time. The Mayor hasn't been kind to Friends of Vale or our efforts to protect Historic Preservation. He has taken the camera project away from us. You need to hold the Mayor's feet to the fire and make sure that he's looking out for all the parks in the city, not just city pools.

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Sharon DeNovio stated that the only people who don't want this are those who own property. It's about giving decent people relief.

Seeing no other speakers to come before the City Council, Mr. Blanchfield declared the Privilege of the Floor on the Legislative Agenda closed.

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

Consent Agenda –

Resolution No. 2006-129	Introduced Only
Resolution No. 2006-130	Adopted Unanimously
Resolution No. 2006-131	Adopted Unanimously
Resolution No. 2006-132	Adopted Unanimously
Resolution No. 2006-133	Adopted Unanimously
Resolution No. 2006-134	Adopted Unanimously
Resolution No. 2006-135	Adopted Unanimously
Resolution No. 2006-136	Adopted Unanimously
Resolution No. 2006-137	Adopted Unanimously
Resolution No. 2006-138	Adopted Unanimously
Resolution No. 2006-139	Adopted Unanimously

Resolution No. 2006-140	Adopted Unanimously
Resolution No. 2006-141	Adopted Unanimously
Resolution No. 2006-142	Adopted Unanimously
Resolution No. 2006-143	Adopted Unanimously

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Consent Agenda (Continued) –

Resolution No. 2006-CS26	Adopted Unanimously
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With Unanimous Consent –

Resolution No. 2006-144	Adopted Unanimously
Resolution No. 2006-145	Adopted Unanimously

PRIVILEGE OF THE FLOOR:

Mr. Blanchfield 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:

Pat Zollinger, 150 Clement Ave., said that when the pools are closed – if done properly, they don't fall apart. We will develop a citizen-based performance rating. You dropped the ball on the public's needs.

Elaine Willi, 1571 Bradley Street, spoke in regard to the pool situation. We have five (5) pools in Schenectady; for whatever reason? The three (3) pools are scheduled to open this year. According to Mayor Stratton, it is too costly to open these two (2) remaining pools, but according to Councilman Joe Allen and the previous Park Director, Bill Seber – at least one is not. According to Councilwoman Barbara Strangfeld, three (3) pools that are already open are plenty enough and according to President Mark Blanchfield, there may be better ways to spend the taxpayer's money; but according to the taxpayers', about 400 to 500 people in the Bellevue neighborhood signed a petition to keep that pool open. Again, the City Council seems to be overemphasizing their opinions with the taxpayer's money. Furthermore, the pools being said as too costly to fix and with city workers cannibalizing the parts over the past three (3) years is just another example of demolition upon neglect to satisfy the whims of the Council. Take heed, if you notice, the two (2) pools in question of being reopened for use are in the very neighborhoods of those who have organized against the Mayor's, City Council's and the administration's raises whenever they wanted them. I strongly believe that is the majority of the taxpayers in their surrounding neighborhoods that should decide if their pool should stay open or if other recreation should be taken place and not a few specific people who constantly cater to the Mayor's and Council's whims. Concerning the ATV situation – it definitely is a problem that needs much stricter enforcement. With the pool being closed in this area of

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Woodlawn is definitely needed here; or if another recreational activity other than a pool is being considered. The neighborhood needs to make this decision to deter this destructive activity to the Pine Bush. Now, that the Erie Blvd. Streetscape is coming into focus, it would be really nice to see the "Silver Diner" for National Historic consideration to be preserved and blended into the Streetscape. What is happening with this project in reference to this building? Thank you.

Sam Hotaling, 1836 Campbell Ave./Vince Riggi, Campbell Ave., said – it's good that the pools were inspected. I would like to see the Woodlawn Pool open again. Sam Hotaling gathered signatures for the Bellevue Pool. He did a credit check to everything. We have volunteers to work on the pool.

Sam Hotaling submitted a petition with 441 signatures. If the pool is in that good condition, why can't it be open this year?

Katherine Delain, 214 Liberty Street, asked the Council and Mayor to honor the memory of Gary Delain.

Barbara Katz stated that cars go pass red lights at high speed and the wrong way on Jay Street and Franklin Street.

Robert Sanders, 2821 Halsey Street, stated that on June 24th and 25th, we will again clean the Woodlawn Park. I would like to see some of you there from 9:30 A.M. to 1:30 P.M. I don't want the pool open. It's not feasible this year. I want the park clean so it can be used.

Jim Livingston, Park Ave., stated that Code Enforcement and the Noise Ordinance needs to be strengthened. The landlords need to be responsible. We need to enforce the fact that the police respond to complaints. Code Enforcement is not being done. Do something about Code Enforcement.

Seeing no other speakers to come before the City Council, Mr. Blanchfield declared the Privilege of the Floor closed.

MISCELLANEOUS:

Ms. Blanchard stated that the Schenectady Heritage has been interested in the Silver Diner for a long time. I know a man who wants to re-open the diner, even though there has been water damage. Also on June 20th, there is another meeting on the city-wide plan. I hope that everyone will show up.

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Mr. Allen stated that Code Enforcement is a high priority. We have a lot of good laws on the books that are not being enforced. Also, proper storage of garbage cans is still not being done. Also, people need to pick up after their dogs.

Mr. McCarthy said – I sent the "Parking Legislation" out to all the neighborhood associations and appreciate the time they took to answer and return it. I am guest speaker on June 15th at the Bellevue Reformed Church; June 14th at Woodlawn and I will talk about this. The public Hearing will be 2 weeks from tonight. I want to thank the people for putting their 2 cents in.

Ms. Strangfeld stated that during the budget process, we will be looking for additional Code Enforcement. We will also look at recreation and pools. We will also look at other cities and what they do. One good business practice that we will use is "benchmarking" – that is looking at other budgetary, sound cities and how their recreational needs are met and how they can be applied to our city. I agree that our city is unique, but, we use the same rules as other cities. Some of the things that we have done in Schenectady are being done by other cities. Thanks to everyone for coming down and offering their suggestions and I hope that you continue to do that.

Mr. Blanchfield said – "Thanks" to Mr. Hotaling for coming down here and we will consider this, along with other suggestions. The course of making good public policy requires open debate and sometimes, there is disagreement. We want to provide quality recreation. Some people in Bellevue feel differently than Mr. Hotaling about the need for a pool. They have asked us to consider other forms of recreation. We need to keep discussing what are the best recreational needs in 2007. We are awaiting the Comprehensive Plan. As we go along with development, we have to keep in mind that the Comprehensive Plan is in progress. We are mindful and I don't want people to start brand new projects that may conflict with this. Also in the months of July and August, our City Council Meetings will begin at 6:00 P.M.

ADJOURNMENT:

Seeing no further business to come before the City Council, Mr. Blanchfield declared the meeting adjourned at 8:30 P.M.

A TRUE RECORD

BY CAROLYN FRIELLO

CITY CLERK