

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE
SCHENECTADY CITY COUNCIL
February 28, 2011**

The Council President, Gary R. McCarthy called the Meeting to order at 7:10 p.m. in Room 209, City Council Chambers at City Hall.

Mr. McCarthy called upon Reverend William Levering to deliver the invocation.

Mr. McCarthy called upon Rev. Van Stuart, to lead the Pledge of Allegiance.

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

Present – Council members, Joseph Allen, Denise Brucker, Carl Erikson, Gary R. McCarthy, Thomas Della Sala, Barbara Blanchard and Margaret C. King.

Also Present – Mayor Brian U. Stratton, Deputy Clerk Charles W. Thorne and Corporation Counsel L. John Van Norden.

PUBLIC HEARINGS:

Public Hearing 1:

Proposed Ordinance Establishing Fees Applicable to City Code Enforcement.

Mr. McCarthy invited all who wished to be heard to come forward.

Seeing no one to come before the City Council, Mr. McCarthy declared the Public Hearing closed.

Public Hearing 2:

Relative to a Proposed Cable Television Franchise Agreement with Verizon New York, Inc.

Mr. McCarthy invited all who wished to be heard to come forward.

John Fogarty TWC – stated the agreement does not create a level playing field for competition and the Public Access fee is not assessed equitably.

Sam Caldwell, Verizon – Stated that the Public Service Commission determines whether or not the proposed agreement provides for a “level playing field.” He also stated that Verizon has a legacy within the community and TWC is able to provide phone service over a network that traditionally delivered one-way video.

Janus James, Verizon – Supported passing the franchise agreement. Among the benefits he cited were advanced fiber optics, support, and availability of the network will advance technology based economic growth in the City.

P.D. Voorhis – Complained about the lack of information available regarding the proposed agreement.

Carl Olsen, Commissioner of Public Works – stated the City has a wonderful working relationship with Verizon regarding the shared right-of-way with utilities. He applauded their excellent emergency response and the availability of engineers 24/7.

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

APPROVAL OF MINUTES:

Ms. King moved that the minutes of the City Council Meeting of January 24 and February 14, 2011 be approved as submitted by the City Clerk. It was seconded by Mr. Erikson. Hearing no objection Mr. McCarthy declared the minutes approved as submitted.

COMMUNICATIONS:

Official:

None.

General:

A letter from American Legion Post 21 thanking the City for money donated.

A letter announcing the monthly Bellevue Preservation Inc. meeting on Thursday March 10th at St. Paul's Episcopal Church Hall.

Petitions:

None

COMMITTEE REPORTS:

Public Safety – Ms. Brucker spoke in support of agenda items 2, 3, and 4 noting that the grants, totaling in excess of \$210,000 come at time of financial need.

Finance – Mr. Della Sala reminded not-for-profit corporations that their filings need to be postmarked on or before March 1.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

Mr. McCarthy invited all who wished to address the Legislative Agenda to come forward. The following speakers rose to be heard and their remarks are summarized:

Marion Porterfield, Schenectady Weed & Seed – had questions regarding the Lead Abatement Program and what the roles of BNI and The Community Land Trust with the program. She suggested alternative reporting from CDBG so that the Council is more informed.

Vickie Hurewitz, BNI – Spoke in reference to the Lead Abatement program and asked what BNI's role is in the program. She also commended Richard Purga for all of his working relating to the program.

Jason Planck, City of Schenectady – Questioned why the Lead Abatement Grant was applied for, stating that the Council had voted against it in 2010.

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

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

Consent Agenda –

Ms. King moved the following items be adopted:

Resolution No. 2011 – 34	Adopted Unanimously
Resolution No. 2011 – 35	Adopted Unanimously
Resolution No. 2011 – 36	Adopted Unanimously
Resolution No. 2011 – 37	Adopted Unanimously
Resolution No. 2011 – 38	Adopted Unanimously
Resolution No. 2011 – 39	Adopted Unanimously
Resolution No. 2011 – 40	Adopted Unanimously
Resolution No. 2011 – 41	Adopted Unanimously
Resolution No. 2011 – 42	Adopted Unanimously
Resolution No. 2011 – 43	Adopted Unanimously
Resolution No. 2011 – 44	Adopted Unanimously

PRIVILEGE OF THE FLOOR – City Business

Mr. McCarthy 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:

Donald Birch Jr., 236 Park Place – Spoke in defense of a claim he is bringing against the Schenectady Police Department and claimed that City employees have been intimidated to discourage them from cooperating with him.

Jason Planck, City of Schenectady – Claimed that recent press releases on the Metroplex website quoted false figures regarding GE assessment values. He also criticized Council President McCarthy's comments regarding the mental health of certain individuals who come before the Council.

Wayne Harper, City of Schenectady – read a letter from a doctor criticizing the health system and read quotes from Thomas Jefferson.

Pamela LaBrake, City of Schenectady – Criticized, in verse, Mr. McCarthy's comments on mental health.

Joy Hall, City of Schenectady – Criticized the snow-removal efforts in the City and the owners of cars that are parked and hinder the snow removal efforts.

Gerald Plante, 227 Front St., Schenectady - On Saturday, February 19th", The Daily Gazette ran an article in its local section w/the headlines: "Official: Free rent would foster growth" In that article it explains that Councilwoman Blanchard wants to foster business growth by allowing free rent. Councilman Della Sala concurred. But, Councilwoman Brucker objected stating that the city shouldn't become a landlord. However, the city is already landlord to several derelict buildings. Any growth would foster less blight. It's good business sense. Ms. Brucker has had four terms to make a difference in this city particularly where blight of city- owned property is evident. And the blight continues to grow. With the attitude of not wanting to get involved for the betterment of the city it sends out a message that the city is not pro growth. I've never heard from Ms. Brucker what any alternatives are. Just the same old same old negative response: don't get involved, it is not our problem. I live next door to a vacant bldg @ 219 Front St that has sat vacant in May of this year for 17 years. In recent years there have been several interested part~/s including myself that were willing to rescue this bldg. from the city's hands and turn it back to the tax rolls. Nothing happened. With a mix of bad politics and naysayers in City Hall nothing ever gets done for these type properties. What gives? One way to financially offset these problems would be: for the Schenectady City PBA to give back the \$1.23 million the city used to defend itself against eight rogue cops and put it in a reserve fund to help rid the city of most of its blight that permeates Hamilton Hill and Mt. Pleasant. After all, the city PD is key to the solution. Imagine how far that \$1.23 million would go! Also, it is time to look into the decaying 1906 era infrastructure of the city's train bridges that pass over the city's neighborhoods. Support beams are rusted and rotted out. Homeland Security dollars could offset the cost to get these old Amtrak/CSX bridges looking like the one that sits over downtown Schenectady State St that was rehabbed not long ago. Lighting, landscaping in/around these decrepit bridge areas would go a long way into improving the surrounding environs and may even discourage the graffiti vandalism/blight that permeates them presently. It's also a major safety issue. Blight of another kind: Here are photos of my annual wall of shame: The pertinent addresses are on the photos. These are a few examples of decay under the long tenures of Mayor Stratton, Mssrs. McCarthy, Allen and Strichman and Misses Brucker and King. City residents are still waiting for Mr. McCarthy's plan for the city council to come up w/the worst of the ,worst. That report was promised last summer.

Harry Brand, City of Schenectady – Criticized the lack of substance in the Council's Committee Reports.

Celeste Trotz, 780 Eastern Ave. - I am not sure about the rules of conducting a city council meeting but during the privilege of the floor may I suggest that comments be limited to calling the folks up to the podium, time management and seeing that citizens do not personalize comments. A comment was heard at the last city council meeting referring to a presentation. A suggestion or innuendo was made that the presenter was driven by mental health issues. This was uncalled for, cruel and may even break rules of conducting the meeting. The STIGMA attached to mental health is all consuming. For those battling mental health issues they live with the horrors of symptoms, the side effects of medications. Side effects that sometimes are so bad that the person rather have the symptoms of the illness back. A person with mental health issues has to live with the reality of possibly not being hired if it is known they have an illness. They have to live with the reality they can and will be shunned by others once it is disclosed. They have to live with the shame their families show them. They live with the internal stigma they themselves hold. So many times people think of those with mental health issues as having character defects, when in fact it is an "organic" brain disorder. As a result of this disorder they may have been stunted in their formative years and have to attend intensive counseling. It is a reality folks are: many times wrapped up with their own needs and issues that they don't find such a statement impacting. When their son or daughter returns home from fighting overseas and they no longer are the person they once knew. When their son or daughter is experiencing Post Traumatic Stress Disorder or Major Depression and needs mental health intervention or God forbid their loved one commits suicide. They will then have the time to make this an issue worth addressing and find outrage at the comment made. A suggestion... One I read on the internet... Maybe it is time to go over the rules of the conducting of a meeting. Both for the rules the council must abide by as well as the citizen's rules of conduct, then post it on the city council webpage. Thank you.

Pat Zollinger, City of Schenectady – Was critical of allowing a part-time Mayor to serve the City. She stated that Mr. McCarthy should not be allowed to serve as Mayor due to conflicts of interest with his County job and various boards he serves on. She asked for his resignation.

David Bianchi, Rotterdam – Asked if Council has reviewed the files he submitted at the last Council Meeting regarding taxes on the eminent domain proceedings on Barrett Street and Seminary Place lots.

Mary McClain – At the last council meeting, six members voted to give Chief Farstad \$73,000 of taxpayers money. And no one flinched. I was watching at home and it was very painful to hear the vote. Did any of the 6, actually read the contract on which the pay-out was based? Why would one council member vote "No" and the other 6 vote "Yes" From what has been reported in the press, I do

not think that Mr. Farstad had a contract with the city pertaining to his fire chief position. That being the case, his pay-out is not legally binding on the citizens of the city. Mr. Farstad decided to retire and the taxpayers became his bank, benefactor and paymaster. Where in the city code does it say that the taxpayers are obligated to give workers a financial send-off? Where in the constitution does it say that union workers have a right to collective bargaining? No where! These things were legislatively created by those who themselves are recipients of the same financial perks. That's not representation. That means looking out for # one. This picture was in yesterday's Gazette. It shows a legislator with a bullhorn that reads – Tax the rich! He wants the state to tax the rich so that union members can receive life-time medical coverage. While their counterparts in the private receive nothing. This kind of scenario can not go on in the city, state or nation any longer. People must pay for the things they want. In order to do that - contracts need to be reformed and benefits rolled – back. These are the answers for solving fiscal crises. As for Mr. Farstad, some objective party needs to look at the paper work on which his pay-out was based. As a citizen of this city, I want that money returned to the treasury.

Rev. Van Stuart – Called for transparency and accountability. And said economic development by getting money into the hands of the people. He also asked what moving 41 properties to SURA means?

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

Miscellaneous Business of the Council

Mayor Stratton – Reiterated the not – for – profit assessment filing deadline. He also informed the City Council that he has terminated the employment of Schenectady Police Officer Darren Lawrence – press releases were placed in all of the Council mailboxes. He also informed the Council of a proposed 66 percent cut in CDBG funding, which will result in excess of \$1.7 million in cuts for the City. He encouraged Council to draft a resolution to Senators Gillibrand and Schumer and Congressman Tonko.

Mr. McCarthy – Apologized to anyone who was offended by his comments at the previous meeting regarding mental health.

Adjourned:

Seeing no further business to come before the City Council Mr. McCarthy declared the meeting adjourned at 8:31 p.m.

A true record

**By Charles W. Thorne
Deputy City Clerk**