

**MINUTES OF THE REGULARY SCHEDULED MEETIG OF THE
SCHENECTADY CITY COUNCI NOVEMBER 8, 2010**

The meeting was called to order by Council President Gary R. McCarthy at 7:05 p.m. in Room 209, City Council Chambers at City Hall.

Mr. McCarthy called upon the Rev. Bill Levering, First Reformed Church, to deliver the Invocation.

Mr. McCarthy called upon Robert Becker 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 – Councilmembers Joseph L. Allen, Denise K. Brucker, Carl Erikson, Margaret C. King, Thomas Della Sala, Barbara J. Blanchard and Gary R. McCarthy.

Absent - None

Also Present – Mayor Brian U. Stratton, City Clerk Eileen M. Versaci and Corporation Counsel Alfred Goldberger, Esq.

At this point in the meeting Mr. McCarthy asked if there were no objections, he would like to take Agenda Item #5 out of order. There were no objections.

Resolution No. 2010-191

Adopted Unanimously

Mr. Della Sala invited Mr. Robert Becker to come inside the rail to accept a resolution celebrating and honoring the Lives and Contributions of Veterans. Mr. Becker thanked the City Council and the Mayor for this Resolution.

PUBLIC HEARINGS:

1. A Proposed Ordinance to Amend Section 9-6(D) of the Schenectady City Code Authorizing the DSAD to Levy an Annual Minimal Assessment.

Mr. McCarthy invited all who wished to speak on the Public Hearing #1 to come forward. The following speakers rose to be heard and their remarks are summarized:

Richard Antokol, 514 State Street – I'm just trying to make sure this is the public hearing on the DSAD Assessment Formula, and that we are calling for a public hearing in two weeks on the DSIC 2011 Budget. If so, I am totaling in support of both. I came down here tonight to also thank you for your support over the years and hope we can continue this working relationship. Thank you very much.

Bill Kornruanpf, 126 Broadway – I am here representing Edison Textile on Broadway. I have looked at the new assessment and I realize the committee has put a lot of time and effort in putting this together. There are three points that I would like to make; one there are three different levels of contributions here. DSIC, made it number one, is 100%; number two is two-thirds and number three is one-third. They have number threes along side number ones, now, how can you make that kind of distinctions? The facade on one side of the street would be the same as the other side. So it does not make sense. There seems to be a split at Erie Boulevard. Why is it cheaper to operate below Erie Boulevard than above it? I do not like the map. It seems we had to bring this to the Council and this is what we have. That was the easy way to do it and that was sort of the way it was explained to us. Secondly, it was done strictly on square footage. Fifty percent of the assessment is on square footage, actually more, it is on straight square footage, not on how that footage is used. This is a large impact on the assessment, for instance our building is used in the rear as storage and that space has no real usage at this facility. The facade program, which is a major expense, I can't say enough about the facade program. But, a facade costs the same whether you have square footage with the building or don't have the square footage with the building. A facade costs the same on Union Street as the facade on State Street. So, why is one charged 100% and the other one-third? This does not make sense to me. I will admit there is no perfect way to do this. Someone will always feel they are paying more than their fair share. My summary is that I feel the new plan is flawed and would be more than happy to help the board to come up with something that I feel that is fair. Thank you.

Seeing no other speakers to come before the City Council, Mr. McCarthy declared this Public Hearing #1 closed (7:20 p.m.)

2. The Provision of Licensing and Identification Services for Dogs with the City of Schenectady.

Mr. McCarthy invited all who wished to speak on the Public Hearing #2 to come forward. The following speakers rose to be heard and their remarks are summarized:

Jason Planck, Schenectady, NY – I would like to combine my comments to Public Hearing #2 and #3. One the Dog Fees should be pulled out of the General Fund and should be separated out so that the funds could be used to improve the Dog Parks and have more Dog Parks. The Mayor doesn't want this out of the General Fund, but I know this is one area that the money could be put to good use. Thank you.

3. The Fee Structure in relation to the Provision of Licensing and Identification Services for Dogs with the City of Schenectady.

Mr. McCarthy invited all who wished to speak on the Public Hearing #3 to come forward (7:22 p.m.). The following speakers rose to be heard and their remarks are summarized:

Wayne Harper, Schenectady, NY – I would like the people to have the right to call City Hall and be able to ask if a neighbor has his dog licensed. And, I would like someone to explain how many dogs a person can have without having a breeder's license. And lastly, I think it is time, I mentioned this a year ago, that we start to include cats. Cats should be licensed and have to show proof from the Vets that they had their shots. I don't know about you folks, but we have a lot of cats in our neighborhood and I think it is time to license them. Thank you.

Mr. McCarthy inquired if Mr. Planck wished to give up his time on the public hearing, her answered in the affirmative.

4. The Proposed Ordinance for Vacant and Abandoned Buildings.

Mr. McCarthy invited all who wished to speak on the Public Hearing on #4 to come forward (7:25 p.m.). The following speakers rose to be heard and their remarks are summarized:

Jason Planck, Schenectady, NY – I will put numbers 4 and 5 together. This is just administration fee. If you add it all together it only comes about \$250.00 with all the paper work involved. The initial fee should be set at \$250.00. Thank you.

Jim Livingston, Schenectady, NY – I appreciate all the hard work that has gone into addressing Code Enforcement in this City. I am please with the idea and as it stands and falls on the integrities of the Code Enforcement Officer. I question if someone passes away and a house is temporarily empty and Code Enforcement sites them? There is no resource with Code Enforcement. You want to make sure that the details of this Ordinance and you want to make sure in particular the Law Department is consulted on every fine. I appreciate the effort. Thank you.

Rev. Phil Grisby, Schenectady, NY – I want to speak in strong favor of this Ordinance that is being put before you and I appreciate all the work that has gone into it. Vacant properties is a very serious issue in our community and it need to be seriously addressed. And well it is being addressed will be in the doing rather than our particular conversation. However, I do have a couple of specifics to comment onto you. One is the definition where it talks about "vacant building." I would just stop at the word unoccupied because the phase to maintain in a "livable condition" having been abandoned by the owners or corporate entity. I think there are some issues involved there. So you should make the definition very, very simple. Secondly, where it goes on to Article 9, Abatement Violations Notification by residents, association, etc. You might want to add congregation, just to be pacific on that score. I would see this Ordinance as a public health issue and is it very proactive. The Council has experience on this problem, looking at the 200 houses, and I commend them on that. This Ordinance mandates dramatic

improvements in Code Enforcement, but that means the department should be computerized, and it is my understanding that it is not. I hope I'm wrong, but this is my understanding. You have to look at the number of folks that retired and rework the base of the organization. There has been very great deficiency in that department. This Ordinance requires most dramatic improvements in Code Enforcement and I am glad to see this as a priority. And, I urge the Council to have a plan to reorganize Code Enforcement to make this Ordinance effective. Thank you.

Seeing no further speakers to come before the City Council, Mr. McCarthy declared this Public Hearing #4 closed.

5. The Fee Structure in Relation to the Proposed Ordinance for Vacant and Abandoned Buildings.

Jason Planck, Schenectady, NY – Spoke at Public Hearing #4 and combined #5 with his remarks.

Seeing no further speakers to come before the City Council, Mr. McCarthy declared the Public Hearing #5 closed.

COMMUNICATIONS:

Official: From the Mayor a list of appointments (dist. November 8th, 2010)

General: The Bellevue Perseveration Inc., is sponsoring a Community Forum at its monthly meeting, Thursday, November 11th, 2010, 7 p.m. at St. Paul's Episcopal Church, 1911 Fairview Avenue. ALL Bellevue Residents are encouraged to attend and suggest what they would like to see happen in Bellevue as well as voice their concerns about what is affecting their family and Quality of Life in the Bellevue Neighborhood.

Petitions: None

COMMITTEE REPORTS: None

PRIVILEGE OF THE FLOOR: (LEGISLATIVE ITEMS)

Mr. McCarthy invited all who wished to address the City Council on any item on the Legislative Agenda to come forward.

Richard Antokol, 514 State Street, Schenectady – I'm just questioning, is the DSIC Budget calling for a Public Hearing? I don't want to use up my time and I don't think there is anyone else on the list. Thank you very much.

Seeing no 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 & RESOLUTIONS:

Consent Agenda –

Resolution No. 2010-191	Adopted Unanimously
Resolution No. 2010-192	Adopted Unanimously
Resolution No. 2010-193	Adopted Unanimously
Resolution No. 2010-194	Adopted Unanimously
Resolution No. 2010-195	Adopted Unanimously
Resolution No. 2010-196	Adopted Unanimously
Resolution No. 2010-197	Adopted Unanimously
Resolution No. 2010-198	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:

Jim Livingston, 1081 Park Avenue – I live in the Union Triangle and I have a house at 1096 Gillespie Street and I am going to circulate two pictures of this house. September of last year, you were having a Committee Meeting, at the meeting the City Corporation Counsel indicated that Mr. McCarthy was asking for the criminalization of problem landlords and therefore asking for more severe enforcement of the Law. Barbara Blanchard had been leading a sustained discussion of the many problems of the Code Enforcement. Corporation Counsel on that night announced that I, he said my name on television was an example of great leniency in the city and that I would be receiving a ticket, this is the Corporation Counsel. I did not receive a ticket, but two weeks later my house was visited by Code Enforcement Officer named Alois. I was written up for six different problems areas and that is not included one that dated back two years, that which needed repair. I was greatly concerned. That in addition to the usual stuff, he also said I had to make a repair within 5 days of an electrical wire on the outside. I had National Grid look at the wire and I had two Electricians look at the wire, it was a service cable. I called the City Electrician and got no communications back from the City. There was an order to vacate put on the house. I was supposed to move 5 Union College students out during their college recess. I was so upset by this and the lack of communication that I immediately met with the Mayor, Barbara Blanchard, Sharon Jordon and University Counsel appeared. At that time I discussed my concerns and I did not get much of an answer to this obvious harassment. I must add that Mr. Alois talked to me on the phone in a very abusive way. He told me if I didn't like it I should sell my house

and move. He was undoubtedly the rudest person I have ever spoken to in the City. I regret to hear that he is presently now in charge. The next thing that happened, Sharon Jordon asked me to write a letter on my plan to make amenities. So, I wrote a long letter explaining my plans to make those repairs living on a \$25,000 a year, left me with little to make those repairs. In the summer I hired a carpenter to make the repairs and after one day and there was no requirement for a permit and no requirement to apply to the Historic Commission. I going to summarize, it doesn't seem like the three minutes? Mr. McCarthy, "three minutes and 45 seconds". Here is the problem, to summarize. I have made repeated calls to Sharon Jordon since June of this year, and calls to John Paolino. I was trying to get Barbara Blanchard to help me. I am gong to trial, it cost me \$750 for a retaining fee for a lawyer. I really did blow it tonight. I should have done a better job. I will come back in two weeks. Thank you.

Vince Riggi, 2158 Campbell Avenue – There is a letter to the Editor about the property on Broadway, Neal Brizzol, next to his. I brought this to the Council and the Mayor's attention months ago. It is right in the heart of the Bellevue Business District and there is a burned out hulk there. There is a tarp lying on the ground and Mr. Brizzol picked it up and it is flying all over the place. That roof had been opened for ever. There is all water pouring in there and nothing is being done. I know we are not upper Union Street, but we deserve something. That is terrible, that is our business district. It may not be much, but that is our business district and we deserve some attention. So please look into this. I know I couldn't make the last couple of meetings; you were going though the budget process and having a tough job of it. Again, the job cuts you are proposing maybe not in the right places. Whatever you are proposing to do with your crystal balls? We are still creating big jobs, that body shop thing that had to be pushed in before the budget got started. That was a major thing to get that though. Now maybe a tax collector job, it just does not seem right that we are creating jobs when we are laying people off. Something does not sound right. It has also come to my attention that there are quite of few properties that their tax bills for 2009 and 2010, the water and sewer charges were not on there. They could be as many as 500 for those two year. Looking to see how to take money in, well check the tax bills. You might want to check with someone on that.

Ralph Boyd, Schenectady, NY – This has been a rough month for me. I have lost three of the compatriots including Helen Quirini. I come tonight because the Mayor and some members of the City Council were at her funeral on Saturday morning and people came from all over the Country. Especially, Union people and I were very proud, because I have been a friend and associate of Helen's for over 60 years. Helen was a crusader. She was a fighter, she was a very intelligent women. Helen was a good woman. Helen turned 90 this last year. Helen worked on a daily basis to help improve out City and County, also our Country, it was a great loss. Helen was a fighter; Helen walked picket lines in the snow and rain. Helen was a very talented woman. Helen would give you her heart if you needed

it that is the type of person she was. She fought a good fight and I am proud to have been her friend. Thank you.

Harry Brand, 2108 Van Rensselaer Drive – For the past several Council Meeting, I complained about the trees on Van Rensselaer Drive, only to find out that the City has the right-of-way of thirty feet. I would have never believed it, but therefore I owe an apology to the City Council, the Mayor, and the City employees. The fellows did a beautiful job. I have to give them credit for that, not that I was satisfied the way this was done with a home owner living there less than a year and working for the City. Enough about that; about the budget! Why do you have to raise taxes and lay off employees? Why don't you go after the money that is out there? I just don't understand how you do things. Union College you treat with kid gloves. They have a football game last Saturday, cars parked all around. No standing, No parking and No tickets. How can you let this happen week after week and nothings done about it. On Union Avenue, sign say No Parking from November 1st to April 15th, cars park there. You, 35 plus employees taking vehicles home, even the Mayor. Where are these vehicles, on private property, visiting people and official business? I don't believe it. Thank you.

Sara Michener, 137 S. Ferry Street – I am here to speak about the former MVP building on Liberty Street. The building in question pre-dates all of your political careers. The MVP building is in fact an addition to the original Court House on Union Street in the Stockade, built in 1800. Preservationist who are qualified to say so insist it never should have been build, because half of the building is in the historic district and the other half is not. The awful maintenance of the entire property puts our Greek Revival Court House at great risk. These plans came to pass during the late eighties under the planning of George Robertson. The developer was the late Al Lawrence, insurance tycoon ambassador and subsequently; convict. Enter Ray Mahouchian, who bought the building at least ten years ago. He should be familiar to all of you as a developer who has worked in concert with Metroplex on several downtown projects. About five years ago, Ray Gillan sold the Liberty Street West Parking Lot (across the street from MVP building) to Mahouchian to “Make the MVP Building more marketable”. In doing so, he scarified us little buildings on the perimeter making us “less marketable”. But, in the meantime the “Marketing plan” has failed, at least by appearance. The Stockade Association, to the best of my knowledge is unaware of these deplorable conditions. Also, the DSIC, which is funded by Metroplex as well as us “shareholders” is located in plain sight of this mess. Jim Salengo has worked with me and been extremely cooperative n removing all manner of detritus over last summer. But he is limited in what he can do because DSIC can not clean on private property. I bring this matter to your attention for obvious reasons, and to make a larger point. This City is in financial crisis. According to recently televised Metroplex meetings, sales tax revenues are up. I submit to you that, the money to close the budget deficit has been collected. We, as taxpayers, paid in the form of sales tax. I urge this Council to legislate a refund of our sales tax money in the form of quarterly installment over the amount of time it take to close to

budget gap instead of a property tax increase. This will make the whole city “More Marketable”.

Tony Buonome, Bellevue, Schenectady – Veterans Day is Thursday. It would not be right to get up here and not get on my soap box again for the cold war veterans. Anyone out there that served in the six year period of February 1st, 1955 to February 27th, 1961, the City Assessor at City Hall might have something for you. The City does not have Cold War Benefits but Niskayuna, Glenville and maybe other do give it. If there is something you will need your DD214 Form, when you get release from the service. Thank you very much.

Jason Planck, Schenectady, NY – Tomorrow at 7:00 p.m. is the County Legislature Meeting and they are going to approve a 42 Million Dollars Bond for Union College Projects and this is for the Council President, who sits on Metroplex, the Mayor and the rest of the Council, and Sharon Jordon who sits on the Metroplex Board, and Denise Brucker who is chair of the City IDA. Basically, we have to make sure that there are no sales tax exemptions, property tax exemptions or any other exemptions in building this building. Not that it is just Union College; we should ask this of any project. Unit we get the correct accountability of these PILOT Programs, Mr. McCarthy and Mrs. Brucker, you have a duty to the City Council to account for how much we have give away on these developments. We can not continue the way we are, we need accountability.

Wayne Harper, Schenectady, NY – I want to thank you Gary for tonight, for letting me speak and I want to thank those Veterans for the right to speak tonight. I would like to welcome Carl to the Council in his elected position. Hope you do a good job for everybody’s concern. Thank you.

Rev. Phil Grigsby, 932 Albany Street, Schenectady – Good news! I want to thank the Mayor and the members of the City Council for being honorary members of our Harvest Pantry this past weekend. It was very lovely day and we did very well and we thank you for your support. A couple of concerns, as Jason said earlier, we are concerned about the Community Block Grant Budget. As I read the regulations there is a substantial change that the Council has done by acting on the budget, and because of that change there is a need for a Public Hearing. I would encourage CD & P to put that on its agenda. Some of us were at the last CAPER public hearing, to see how well the City complies with Block Grant, which I commend you. On it website it is good, the document does not tell the story and as I read the City has not complied. The City has writing up that it has complied, but the information is not complete. There is substantial change that needs to be addressed. Finally, I commend you for your work on the budget, it was very difficult but as you look at things in the future I would ask you to consider restoring the pool for Hill Hurst Park. That pool is very important part of the Bellevue Neighborhood. It is the only program in the park and if it remains closed we will have to rethink having the Summer Lunch Program in the park

next summer. I urge the residents in Bellevue to speak out about that pool closure. Thank you.

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

APPROVAL OF MINUTES:

Councilmember Blanchard moved the minute of the City Council meeting of October 12th, and October 25th, 2010 be approved as submitted by the City Clerk. It was seconded by Mrs. Brucker. Hearing no objection, Mr. McCarthy declared the minute approved as submitted.

MISCELLANEOUS:

Councilmember King – First, Congratulations to Mr. Erikson on his hard fought campaign, with good results. Also, I want to add to what Ralph Boyd said. I went to Helen's Quirini's service, which was a lovely service. She was really was an amazing women, just her list of volunteer activities is two pages. The different awards and honors that she got another full page, she really made a tremendous contribution to this community and she definitely deserved to be recognized. Wanted to mention that they are setting up two funds, one is a Helen Quirini Scholarship Fund, this is to assist deserted and needy women and this is being done though the YWCA in Schenectady. And also, they are setting up a Helen Quirini Donor Advised Fund, which has been established to continue to provide funds for Helen's Charities and donations to that may be made to the Community Foundation for the Capital Region, Inc., 6 Tower Suite 4, Albany, NY 12203. Thank you.

Mayor Brian Stratton – I too, would like to thank everyone that came down tonight and I assure everyone that we are continuing to look for ways to close our budget shortfall, right up to the time we have to print our tax bills for the 2011 year and that is approximately mid-December. So we will continue to find revenue and to find savings in an effort to restore more firefighters. I believe 8 were put back in the budget that was passed on November 1st. As Rev. Grigsby said, we are about \$42,000 short on opening Hill Hurst Pool, but we are continuing to reach out to the not-for-profits. As you know Ellis Medicine has already stepped in, we are waiting to hear from the Boyd and Girls Club and we will be mailing letters and asking them for there fair share. We are hoping we will find a way to do the things we want to do and the things that we need to do, between now and the end of the year. I would also like to offer my congratulations to Councilmember Erikson.

President McCarthy – Just adding to what Councilmember King said Helen Quirini was a great asset to this community and will sorely be missed. And we

extend our heartfelt sympathy to her family and friends and with that I will entertain a motion to adjourn.

ADJOURNEMENT:

Seeing no further business to come before the City Council, Mr. McCarthy declared the meeting adjourned at 8:20 P.M.

A TRUE RECORD

**BY EILEEN M. VERSACI
CITY CLERK**