

**MINUTES OF THE REGULARY SCHEDULED MEETING OF THE
SCHENECTADY CITY COUNCIL AUGUST 10, 2009**

The meeting was called to order by the Council President Margaret C. King at 6:05 P.M. in Room 209, City Council Chambers at City Hall.

Ms. King called upon Father Carl Urban, St. Adalbert Catholic Church to deliver the invocation.

Ms. King called upon Jim Salengo 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,
Mark E. Blanchfield, Gary R. McCarthy, Thomas Della Sala,
Barbara Blanchard and Margaret C.King.

Absent – None

Also Present – Mayor Brian U. Stratton, City Clerk Eileen M.
Versaci and Assistant Corporation Counsel Kate Mc Guirl

At this point in the meeting, Ms. King asked if there were no objections, she would like to take two out of order Presentations and Agenda #10. There were no objections.

The Boys and Girls Club made a presentation to the Mayor. The Executive Director of the Boys and Girls Club, Tom Ciencetta. Mr. Ciencetta awarded the Partner and Program Award this year to Mayor Brian Stratton and the City of Schenectady for all that has been done in Quackenbush Park.

Resolution for “National Night Out.” Mr. McCarthy asked Fred Lee and the member’s of the Neighborhood Watch to come inside the rail.

President King introduced Scott Lewellen from Clough Harbor, who introduced Jim Deloria, Property Rights specialist, who monitored the Public Hearing.

PUBLIC HEARINGS:

A Resolution pursuant to Section 201 of the New York State Eminent Domain Procedure Law, concerning the Proposed acquisition of 145 Erie Boulevard, 151 Erie Boulevard and 104 Fuller Street.

APPROVAL OF MINUTES:

Ms. Brucker moved the minutes of the City Council meeting of July 27, 2009 be approved as submitted by the City Clerk. It was seconded by Mr. McCarthy. Hearing no objections, Ms. King declared the minutes approved as submitted.

COMMUNICATIONS:

Official –

From the Department of Utilities and Facilities, a letter recommending accepting the bid of M.A. Schafer Construction of Altamont, New York for “Police Department Renovations.” Bid amount \$72,720.

From the Department of Utilities and Facilities, a letter recommending accepting the bid for M.A. Schafer Construction of Altamont, New York “City Hall Railings.” Bid amount \$26,850

General:

None

Petitions:

None

COMMITTEE REPORTS:

Ms. Blanchard reported that at the Government Operation Meeting last Monday, Alberta Madonna, the chair of the Board of Assessment Review, and Pat Mastro, Assessor, appeared and answered a number of questions about their Grievance Day procedures both what happened this year and their plans for next year. Unfortunately we were not able to finalize the discussion because there was a concern about what our City Code reads and if it is consistent to the State Law, so our attorney is researching that now and I believe that we will have Ms. Madonna and Mr. Mastro back the first meeting in September and work that out then.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

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

Jason Planck, Schenectady – Spoke on Two Items: #4 extending Callahan Industries, Inc., Paving Contract - make sure that they follow Affirmative Action Rules. Second Item is #9, which is the contract for the entrance door to the Police Station. The doors do not meet ADA requirements and I hope the new construction will.

Seeing no speakers to come before the City Council, Ms. King declared the Privilege of the Floor on the Legislative Agenda closed.

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

Consent Agenda –

Resolution No. 2009-126	Adopted Unanimously
Resolution No. 2009-127	Adopted Unanimously
Resolution No. 2009-128	Adopted Unanimously
Resolution No. 2009-129	Adopted Unanimously
Resolution No. 2009-130	Adopted Unanimously
Resolution No. 2009-131	Adopted Unanimously
Resolution No. 2009-CS-25	Adopted Unanimously
Resolution No. 2009-CS-26	Adopted Unanimously

With Unanimous Consent

Resolution No. 2009-125	Adopted Unanimously
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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:

Toni Pallotolo, Bellevue resident – I am co-captain of the Bellevue Neighborhood Watch and wanted to come up and tell a little more about Bellevue and the

Neighborhood Watch and to let you know that our next meeting is on August 27, 2009 at 7:00 P.M. at the Bellevue Reformed Church. Fred Lee will conduct a window watcher training session and anyone throughout the City can come to this if they are planning to be a part of Schenectady Neighborhood Watch, so just drop in on us and see what we are up to. Neighborhood Watch needs your support and Bellevue Neighborhood Watch meet always on the last Thursday of the month. We won't have any meetings in December or January, but we will start up again in February. So come and join us.

Mary McClain – Schenectady – I was present at the Committee meeting when the assessor and his underling addressed City Council. I could not believe what I heard. Thank you Ms. Moore for capturing the mood in the room! It was ugly. Under no circumstances should there be that kind of indifference from employees toward the taxpayers of this City. The two presenters forgot who pays their salaries. They would have us believe that the workers in the assessor's office do their job and get results. At what cost? Mr. Mayor, I wish you would stop the practice of granting waivers to people (such as the assessor) who live outside the City but draw a pay check from Schenectadians. The law reads, "Residency first, job later." You have it in your power to bring a lot of resident tax dollars into the City and also the housing stock. Waivers get in the way. With the constant issuance of waivers the City comes up short every time. Furthermore, the City Code regarding grievances must be followed. It takes precedent over state law. The Council needs to make it their duty to assure residents that the debacle that took place this year will never happen again. As for the request from the public safety chairman to add 1.8 million dollars of federal money to next year's budget to hire eight new policemen. I say, "BACK OFF." If council wants a million dollars in the budget for new policeman then start fixing the PBA contract and the City will have all the money it needs. HOW? Let union members pay for union work. Stop operating under the seniority system. Give overtime to officers on the lowest pay scale. Stop the unlimited sick leave. Stop the comp time. Talk to experts who know how it can be done or dismantle the monster also, stop the free-life time medical coverage. Last night Ed Randall Democratic Governor of Pennsylvania said, "Every American should pay for health care." Get to it!

Katherine Delain – Schenectady – Since the City of Schenectady took over ownership of the Silver Diner; it has shamelessly allowed it to deteriorate. In the past Mayor Stratton has claimed he wanted to save the Diner and professed his appreciation for our city's historic buildings. In a recent newspaper article, he now is quoted as saying "it's time for it to go." Why the change, could it be because of his irritation of the flawed Erie Boulevard plan? According to a Resource Evaluation, prepared for the New York State Office of Historic Preservation's Agent, Travis Bowman, the Silver Diner is eligible for listing on

the State Street National Registers of Historic Places. This eligibility is due to 1. The Silver Diner is a nationally significant example of converted railroad car diner. 2. As a converted food structure it represents a meeting place that fed thousands of workers from G.E. 3. It is a significant historic artifact and represents an important era in Schenectady history after World War One. This determination cries out for the Silver Diner to be protected, preserved and restored. Its location, near State Street and other-points-of-interest could mean its inclusion on walking tours, which could generate greater interest. The Silver Diner could easily become the historic monument the Mayor claims to want along Erie Boulevard. It could be converted into a small museum depicting the greatness of the Eric Canal, and it could also serve as a center of citizens and tourists, alike, to gain information. Using the Silver Diner in this way would be a win/win for the city and its residents. But allowing the deterioration and possible demolition of this historic site, now recognized by the New York State Department of Historic Preservation, is a crime against the people of Schenectady, and against our heritage. If the Mayor truly believes in historic preservation, it is time for him to step up to the plate and: 1. Establish an historic panel to over see and protect our historic sites, and to document uses for them, which could benefit the City. 2. Be true to his word about saving our historic locations and order the immediate end to the deterioration of the Silver Diner and find ways to preserve it for future use. 3. Work with developers like Ed Zemeck, rather than allow Metroplex to discard this historic structure in the dubious name of progress. Schenectady is a city rich in history, and once any portion of that history is lost, it can never be recaptured. There are ways to preserve history and make it work for the present. I call upon any City resident who wants to save the Diner to communicate this desire to the Mayor and also recount your experiences there to both Mayor Stratton and the Office of Historic Preservation. There is no time to waste; let's save the Silver Diner before any more of our magnificent heritage is lost forever.

Barbara Katz – Downtown Schenecatdy – I like to know why certain stores in the downtown area do not carry items that are needed by the public.

Harry Brand – 2108 Van Rensselaer Drive – First I like to thank Mr. Olsen for getting after Railroad and having City employees cleaning up Weaver Street, which had become a real eyesore. I thought with all the meetings we had we would have something on the screen here where you would show us what you have accomplished so far and what you are planning on doing down there. There has been very little information out to the general public, so you have appease some of the business down there and some down there that aren't happy. That's going to happen no matter where you go. I thought you would have a better presentations than just a discussion.

Vince Riggi- 2138 Campbell Ave, Schenectady - I liked what Mary McClain had to say, but I would like to enlighten her on just one thing, the Mayor doesn't have any right to grant waivers to any employees that comes through the Residency Board, which as far as I know is defunct, so there is no waivers Mary. Anyway I would like to thank Councilperson Blanchard, for at least looking into how the Board of Assessment Review was run this year and those comments made by Ms. Madonna and by our Assessor are not acceptable in anyone's grasp of reality. Mr. Mastro's statement about people waiting in line for Disney World or Concerts, I see no similarity at all. Oh! Ms. Madonna crying that's "political", Alberta that's how you got the job in the first place. We all know what it is; she was chairperson for years and endorsing democratic candidates. Would I get appointed to the Board of Assessment Review? "I don't think so" and they do get paid and Ms. Madonna's attitude is terrible she is going to do it her way and that's it. I hope there is something in the City Code to address this and I hope the Council is going to act upon this, because you do appoint these people to the BAR. Just don't appoint a person like that anymore, that's all I can tell you people do not deserve to be treated like that. Downtown, Erie Boulevard is all great, when am I going to see a redaction in my taxes? The system is broke please fix it. Thank you Barbara!

Sandra L. Mayfield – 957 Maple Ave, Schenectady – Spoke for better education and training to help the mentally ill in their times of need. What is needed is a Schenectady County Mobile Crisis Unit. I am writing in regards to my son's (Jason Mayfield) treatment this morning at our home by the Schenectady Police. Jason is 20 year old young man with mental illness. His admission today into Ellis Mental Health Unit was his 6th since late 2002. After I spoke to his Intensive Case manager, Bill Weiner, this morning, his Dr. was contacted. She requested a pick up order. A pick up order means that the Schenectady Police are called to help get someone to the hospital. This has been issued several times for my son. Jason may not have wanted to go to the hospital on this various occasion, but he always went peacefully. He was going peacefully this time also, but he apparently made the mistake of going into his bedroom and putting his wallet in his pocket. The police wanted to know what he put in his pocket. Within a matter of seconds all hell broke loose and the three officers had Jason in a chokehold and his arms behind his back. Jason kept saying they could see what was in his pocket, and I (his mother) reached in his pocket and pulled out his wallet. I said, "It's his wallet, it's his wallet, let him go." One officer said we cannot. My friend Lisa was saying don't hurt him, don't hurt him. The officers put him down to the floor and I heard a high-pitched, wounded animal sound come from my son. Jason started screaming, "Wipe my eyes mom." I bent down near his head to see an officer's knee on his face and tried to wipe his eyes. However, I was told to get away. My son was maced. They cuffed him and brought him to the ambulance. This did not

have to happen like it did. It was like watching something insane happening right before our eyes. These officers need to be better trained to work with the mentally ill and their families. Everything started out okay. A few minutes prior to this when myself, Lisa and the two initial officers (I don't know their names) were talking to Jason, convincing him that he had to go to the hospital. One officer whispered to the other that they were going to have to force Jason to go to the hospital. This was not the case. I asked the third officer who showed up, Sgt. Hoy (I'm not sure of his name), if he was the one that maced my son. I have to say he came into my house with an attitude. The other two officers started out okay. Sgt. Hoy said it didn't matter which officer maced Jason. In the meantime, I again called Jason's ICM at the mental health clinic and he couldn't believe that the police maced Jason. I said this to Sgt. Hoy and he said that the ICM must be inexperienced. I said he is 50 some years old and has been working with the mentally ill for years. I pray to God that my son does not become like the person with a cell phone a while back that the police reacted to, as if it were a gun; or the man who went to take out his wallet a few years ago and was reacted to as if he had a gun. I don't want my son to end up dead. I don't even like to call the police for help. This is not good. I'm afraid for my son and others. There are people encouraging me to sue the police. I am of the thinking that changes must be made, for an example, more education with working with the mentally ill. Does spraying of my son with mace, and using a taser, broken noses, broken arms, and death of other mentally ill people, really have to happen? Years ago, the NAACP had a flyer about what to do and not to do in police presence to keep your self safe. Does such a flyer have to be written for mentally ill? Actually a Schenectady County Mobile Crisis Unit would probably be the answer.

Roy Neville- 1551 Grand Blvd, Schenectady – This is about the young man that was shot by the Schenectady Police on August 1, 2009 this is the same matter that the previous speaker brought up. I think it was a senseless killing and we have to be very aware that this man had a mental illness. The confrontation with the police was foreseeable. The police had guns and they only shoot to kill. If they had tasers and stun guns and were trained to use them, the killing could have been avoided. We need a CIT Police Unit to take care of mentally ill people who are acting out, violently especially on the street.

Bill Drake – 1548 Union Street, Schenectady – I like to talk about things that I see in the neighborhoods just driving around. First of all the construction I see on the weekends is rampant, without permits and I don't know if our Code Enforcement works on weekends, if we don't it might be something you might want to look at. I just went by a house on Rugby Road; it has a ton of wood on the front lawn carrying it into the house. The other thing I am very worried about is lower Eastern Avenue and lower McClellan Street. Driving down Eastern tonight there

is a pile of garbage in front of 750 Eastern Avenue and I mean a pile of garbage, doors, and tires, you name it just piled up there, plus the number of people hanging out of those houses. It shocks me that Code Enforcement doesn't pressure some of these landlords. The last thing I have is the speed on Union Street, once you pass Northeast Jewelry, there is quite a stretch there and cars have been speeding up to 50 plus miles an hour especially in the evenings. What concerns me about that is you have a lot people walking at night with children, pets. I'm concerned that somebody is going to jump the curb and somebody is going to get hurt.

MISCELLANEOUS:

Mr. Allen – Just a couple of things in regard to the Erie Boulevard Project. I have mentioned before, by mind has not changed. I'm not in favor of Eminent Domain, unless this can be proven that this is going to benefit the citizens of the City of Schenectady. Discussion of putting a pocket park there makes no sense to me. I'm basically in favor of the Erie Boulevard Project, but taking three businesses that will be closed and knocked down for a pocket park, do not make sense to me. In regards to this young man that got shot, I was very concerned that the City of Schenectady doesn't have a taser. Most communities in New York State have tasers, so they don't have to use deadly force to bring a person under control. This should not happen it is a shame this is the best we can do.

Mr. Della Sala- I just have a request that if we could get some of the drawings that we saw tonight, maybe the drawings of preferred option A posted on the City Website. Several of the speakers said they couldn't get a good view tonight and I think a lot of people share that sentiment. If we just post the drawing and a lot of people can see what we are talking about.

Mr. Blanchfield – I want to thank all the speakers that came tonight in regard to the Erie Boulevard Project. We will continue to deliberate in respect to this project. We also had some folks who shared their view on the recent shooting we had, which by all accounts is a terrible tragedy. I don't think any of us here would know what actually happened and what would be the right response would be, but I do think we should try to intervene before this situation gets to the point where someone is being harmful to themselves or others. I would like to talk to Ms. Mayfield and Mr. Neville, about things we can do before people get to that point, where they cause harm to others and themselves. This is something I would like to continue to explore. Just a few words about the Bellevue Picnic on Saturday, it was a great turn out and I'm pleased that the "Neighborhood Watch" is doing so

well in Bellevue. It's a great help to the Police Department to have eyes and ears out there. I like to mention two gentlemen that passed away recently and were a great impact on the Community. One is Peter Polachek, who ran Arthur Market for years; he was really a community institution he will be sorely missed. The other person that passed away this week is a gentleman who lived on Elmer Avenue and he ran for City Council in 2005, Richard Rheingold. Richard ran against Gary, Barbara and I in 2005 and I had many occasion to talk with him. He was a very pleasant gentleman with a deep faith in God. He will be missed and I give my best to his family.

Mayor Stratton – I want to join in thanking everyone who came down tonight for the public hearing for the condemnation aspect of the Erie Boulevard Project. Keep in mind that this is on one particular aspect. There were at least two previous meetings where we laid out the entire plan and this hearing on one particular part of the project. Again, no one is trying to force anyone out, we are trying to improve the roadway and think of the greater good of the community.

Ms. King – I would like to acknowledge Mr. Blanchfield's comments about Richard Rheingold and Peter Polachek; both good people who contributed a lot to the community and they will be missed. Also, I want to thank Commissioner Olsen, Bill Macejka, United Way and other groups who got together to fix up Walinton Park in Mt. Pleasant. I had the occasion to go up there last week for their Mt. Pleasant Family Festival, and this is a situation where everyone has worked together. Metroplex was involved in getting some chain link fence from one of their projects they have redone the swings; it is really a cute little park.

ADJOURNMENT:

Seeing no further business to come before the City Council, Ms. King declared the meeting adjourned at 8:25 P.M.

A TRUE RECORD

**BY EILEEN M. VERSACI
CITY CLERK**