SCHENECTADY CITY COUNCIL
COMMITTEE AGENDA
for
Tuesday, January 22, 2019
5:30 p.m.
Room 110

The Council President reserves the right to add or delete any agenda item prior to Committee Meeting.

City Development & Planning
1. Discussion - Proposed CDTA Taxi Ordinance  
   Ed Kosiur
2. Discussion Sidewalk Replacement Program  
   John Polimeni
3. CR - Peters Family  
   Ed Kosiur
4. CR - Quest  
   Karen Zalewski-Wildzunas
5. Sale of 83 McClellan Street  
   Andrew Koldin
6. Sale of 2517 Consaul Road  
   Andrew Koldin
7. Sale of 1615 Eastern Parkway  
   Andrew Koldin
8. Sale of 1033 Park Street  
   Andrew Koldin
9. Sale of 1222-1224 Third Avenue  
   Andrew Koldin
10. Sale of 1226 Seventh Avenue  
    Andrew Koldin

Finance
1. Consecration Temple COGIC Property Tax Exemption  
   Andrew Koldin

Administrative Efficiency
1. Creation of City Council Youth Advisory Board  
   Ed Kosiur
Committee: City Development & Planning

From: Ed Kosiur

Subject: Discussion - Proposed CDTA Taxi Ordinance

Background Info:

Evaluation/Analysis

Recommendation
AN ORDINANCE TO AMEND CHAPTER 215 OF THE CODE
OF THE CITY OF ________, NEW YORK, ENTITLED
“TAXICABS”

BE IT ORDAINED by the City Council of the City of ________, New York, following a public hearing as follows:

SECTION 1. The present Chapter ___, Article ___, of the Code of the City of _____, New York, entitled “_____” is hereby repealed in its entirety.

SECTION 2. A new Chapter ___, Article __ of the Code of the City of ___, New York, entitled “____” is hereby enacted to read:

ARTICLE I

GENERAL REGULATIONS

215-1 DEFINITIONS

Driver – Any person who engages in the business of driving a Taxicab, whether such person is the Owner, an employee, or an independent contractor.

Hack License – A license given to an individual who meets the United States Residency, New York State Department of Motor Vehicle Licensing, New York State Department of Financial Services, New York State Tax and Finance, and Municipality’s criteria for the privilege of driving a taxicab in the State of New York. Includes both Municipal and Unified Hack Licenses.

LENS – The New York State License Event Notification System used to monitor the driving records of any person applying and holding a Hack License or Owners License.

Medallion – A decal distributed by or on behalf of the Municipality, prominently placed on a vehicle used for hire that signifies it is licensed to do business as a Taxicab in the community in which it is operating. Includes both Municipal and Unified Medallions.


Operate a Taxicab – Includes Taxicab service that is conducted within the corporate limits of the Municipality.
**Owner** – Any person or corporation owning or having control of the use of one or more Taxicabs used for hire upon the streets of the Municipality or engaged in the business of Operating a Taxicab.

**Owner’s License** – A license issued to a person and/or corporation owning, operating or having control of one or more Taxicabs used for hire upon the streets of the Municipality that meets all of the criteria established for that license including criteria established for that license including criteria established by New York State Department of Motor Vehicles, the New York State Department of Financial Services and New York State Tax and Finance criteria. Includes both Municipal and Unified Owner’s Licenses.

**Participating Municipality** – Any municipality that is a signatory to the Unified License Memorandum of Understanding.

**Person** – Any individual, corporation, partnership or other legal entity filing for a Taxicab Owner’s License or Taxicab Medallion.

**Taxicab** – Includes any motor vehicle of a type that the General Municipal Law §181 or relevant municipal law permits a municipality to regulate, that is engaged in the service of transporting passengers(s) for hire, when such service is available to the general public on a prearranged or demand-response basis over a non-specified or irregular route with the point or points of pickup and discharge determined by the passenger.

**Taximeter** – An instrument or computer application that automatically calculates the fare charged to a traveler utilizing the service of a Taxicab.

**Unified License Memorandum of Understanding** – The inter-municipal agreement among Participating Municipalities regarding Unified Licenses and Medallions.

**Unified Hack License** – A Hack License authorizing the Driver to Operate a Taxicab in all Participating Municipalities.

**Unified Owner’s License** – An Owners License valid in all Participating Municipalities.

### 215-2 LICENSING

**a. Requirement – Licenses needed to operate**

No Taxicab shall be operated within the Municipality without first having obtained a Medallion and being operated pursuant to a validly issued Owner’s License. No Person shall operate a Taxicab within the Municipality without first having obtained a Hack License.

**b. Owner’s License**
Each application for a Taxicab Owner’s License shall be signed and shall be made upon the appropriate **Common Taxicab Owner’s License Application Form**. Said application shall contain the following information:

I. **The name, date of birth, and residence of the Person applying for the license.**
   
   In the event the applicant is a partnership or operating under an assumed name, a certified copy of the certificate of partnership or assumed name must be provided at the time of the application. In the event that the applicant is a corporation, the names and addresses of all corporate officers and stockholders must be provided at the time of application.

II. **The number of Taxicabs for which the application is being made, stating the ownership, make, type, year of manufacture, vehicle identification number, and passenger seating capacity for each of the vehicles to be licensed under the application.**

III. **A copy of the Certificate of Insurance showing the year, make, model and vehicle identification number and coverage for each Taxicab vehicle licensed under the application, as evidence that the Taxicab is covered by NYS admitted insurer commercial automobile insurance including Bodily Injury and Uninsured Motorist Coverage in a minimum amount of One Hundred Thousand Dollars ($100,000) per person with a Three Hundred Thousand Dollar ($300,000) aggregate, and verification of registration for each vehicle for use as a Taxicab by the New York State Department of Motor Vehicles.**

IV. **Whether the applicant has been convicted of or pled guilty to any crimes, and if so, the crime(s) along with the date(s) and jurisdiction(s) of conviction.**

V. **Whether the applicant is or has been previously licensed as a Taxicab Owner or Operator and, if so, in what jurisdiction(s).**

VI. **Whether the applicant currently holds or was the former holder of a Taxicab Owner’s or Operator’s License which has been expired, revoked or suspended and, if so, for what reason, giving the name of the issuing municipality and the dates and reasons for the expiration, revocation and/or suspension.**

VII. **As a condition to the issuance of a Taxicab Owner’s License, the applicant agrees to require all Drivers of the Owner’s Taxicabs obtain Hack Licenses, maintain a Valid NYS Driver’s License of Class E or CDL which is neither expired, revoked, suspended, or has any conditionality attached to it by the NYS Department of Motor Vehicles which would prohibit said Driver from safely driving or operating a Taxicab, and to register with and be subject to the New York State LENS program, and further agrees that the Municipality**
(or designee) shall have the authority to communicate with and receive reports relating to the New York State LENS program.

VIII. All Persons applying for a Taxicab Owner’s License agree to fully investigate and resolve complaints regarding Taxicabs operated pursuant to the Owner’s License, and shall remediate all complaints and issues in a timely manner.

IX. All Persons applying for a Taxicab Owner’s License shall agree to equip each Taxicab with a Taximeter or equivalent metering application, and shall accept customer payment in cash and/or by credit/debit card.

c. Medallions Required

Each Taxicab Operated within the Municipality shall require a Medallion, which shall be prominently displayed on each licensed Taxicab at all times. The application for a Medallion shall be made upon the Common Medallion Application Form, and must include the following information:

I. The Owner’s License pursuant to which the Taxicabs will be operated.

II. Whether the applicant is seeking Municipal or Unified Medallion(s).

III. The specific Taxicab vehicles providing Year, Make, Model and Vehicle Identification Number of each vehicle for which the Medallions are being requested.

IV. Details regarding the particular Taximeter installed on the Taxicab vehicles, or the details of the equivalent metering application the Owner proposes to utilize including make, model and serial number of the metering application and/or device as applicable.

d. Hack License Required

Each Driver of a Taxicab operating within the Municipality must have and be in possession of a current and validly issued Hack License. Applications for a Hack License or for renewal of a Hack License shall be signed and sworn to in person and shall be made upon the appropriate Common Hack License Application Form. The applicant shall:

I. Be the holder of a duly valid New York State Driver’s License of the appropriate class for operation of a Taxicab as prescribed by the New York State Department of Motor Vehicles, but not less than a valid New York State Class E Livery or CDL (Commercial Driver’s License).

II. Be able to clearly communicate in the English Language.

III. Agree to continually be neat and clean in dress and person and have no conditions that impair the ability to safely operate a Taxicab.

IV. Meet the standards as embodied in Article 23-A of the Correction Law of the State of New York.

V. Be at least eighteen (18) years of age.
VI. Consent in writing to enrollment in the NYS LENS Program for the period his/her license is in effect as a Taxicab Driver.

VII. Have fingerprints taken by the Municipality or designee in which the Medallion will be issued.

VIII. Provide three (2) recent un-retouched photographs, two (2) inches by two (2) inches, with no hat or sunglasses.

IX. Provide the information requested on the Form, giving his/her full name, residence, places of residence for five (5) years previous to moving to his/her present address, age, height, color of eyes and hair, place of birth, United States Residency, places of previous employment, whether he or she has ever been convicted of a felony or misdemeanor and if so, the date and jurisdiction of same, whether he or she has been previously licensed as a Taxicab Driver or chauffeur, and if so, whether his/her license has ever been revoked and/or suspended in which municipality, the year of the revocation and/or suspension, and for what cause.

X. Have no physical or mental condition that would interfere with the safe operation of a Taxicab, and be free from the use of drugs (prescription or otherwise) that would interfere with the safe operation of a Taxicab.

215-3 APPLICATIONS/ISSUANCE

a. Application for Licenses
   All applications for licenses issued pursuant to this Chapter shall be made by the Applicant upon the appropriate Common Application forms, available online at www.cdtar.org and at the Capital District Transportation Authority offices located at 85 Watervliet Avenue, Albany, NY, or such other location as may be designated by the Municipality. Application forms must be submitted in person at the aforementioned location during normal business hours.

b. Common Application Forms and Requirements
   All license applications shall be made upon the appropriate Common License Application Forms, accompanied by all required information and applicable fees. Incomplete license applications will not be accepted.
   
   I. Owner’s License – Applications for an Owner’s License shall be made upon the Common Owner’s License Application Form. The application must designate whether the applicant is seeking a Municipal or Unified Owner’s License. The application shall be filled out in its entirety, and shall include the following:
1. Proof of Insurance covering the specific Taxicab vehicles to be used including year, make, model and vehicle identification numbers of all the vehicles to be covered under the Applicant’s license;

2. Company information, as requested on the application form; and

3. A non-refundable Owner’s License application fee, as specified herein.

II. Medallion – Applications for Taxicab Vehicle Medallions shall be made upon the Common Medallion Application Form. The application must specify the particular vehicles including year, make, model and vehicle identification numbers of the vehicles to be covered under the Applicant’s license and whether the applicant is seeking Municipal or Unified Medallions. The application shall be filled out in its entirety, and shall include the following:

1. Proof of Insurance covering the specific Taxicab vehicles for which Medallions are being requested including year, make, model and vehicle identification numbers of all the vehicles to be covered under the Applicant’s license; AND

2. A non-refundable Medallion Fee for each Taxicab vehicle, as set forth in a fee schedule established by the municipality, as may be amended from time to time.

III. Hack License – Applications for Hack Licenses shall be made upon the Common Hack License Application Form. The application must designate whether the applicant is seeking a Municipal or Unified Hack License. The application shall be filled out in its entirety, and shall include the following:

1. Three (3) recent un-retouched photographs, two (2) inches by two (2) inches, with no hat or sunglasses.

2. Authorization for a criminal history background check and fingerprinting, to be submitted in the form and manner and with the appropriate fee as prescribed by the Division of Criminal Justice Services, the results of which are authorized to be transmitted to the Chief of Police of the Municipality;

3. The fee required by the New York State Division of Criminal Justice Services, to be submitted in the form, manner and amount as specified by DCJS;

4. A non-refundable Hack License application fee, in the amount set forth in a fee schedule established by the municipality, as may be amended from time to time;

5. Authorization to register the Applicant with the New York State LENS program, including the applicant’s New York State Driver’s License.

Deleted: The Impressions of the fingers of the applicant’s right and left hands, for the purpose of obtaining criminal history records from the New York State Division of Criminal Justice Services, the impressions to be taken under the supervision of the Chief of Police or his/her designee. At the Municipality’s discretion, fingerprints may be taken by an authorized business entity.

Comment [HN(1)]: Remove “Morpho” in case vendor changes.

Comment [HN(2)]: The municipal agency and the title of the staff that will be responsible for reviewing the CHRI.

Comment [HN(3)]: A provision stating that fingerprints and any applicable fees must be submitted to DCJS in the form and manner prescribed by DCJS.
information, and authorizing the receipt of reports relating to the Applicant’s driver’s license by the Municipality or designee; AND

6. A copy of a certificate of completion for a recognized defensive driving course, dated within the prior twelve (12) months.

c. Issuance or Denial of Licenses and Medallions

Completed applications will be forwarded to the Municipality’s designated departments for their review. Applications for Unified Licenses and Medallions will be forwarded to each Participating Municipality.

   I. The Municipality may deny the issuance of a License or Medallion if the application is incomplete, if the applicant fails to meet the standards required for issuance of said License, or if the results of their investigation reveal a criminal history which, in the opinion of the Chief of Police of the Municipality, render the applicant unfit after consideration of Article 23/Article 23-a of the New York State Corrections Law.

   II. Unified Licenses and Medallions shall not be issued unless and until approved by each Participating Municipality.

   III. Upon satisfactory fulfillment of the requirements of this Chapter, there shall be issued to the applicant a License which shall be in such form as designated by the Municipality.

   IV. Licenses may be issued on any day of the year, and shall be valid until the end of the calendar year, unless suspended or revoked prior to the end of the calendar year.

   V. All Taxicabs shall be inspected by the Municipality (or designee) prior to issuance of a Medallion

d. Renewal

Applications for renewal of Licenses and Medallions shall be submitted no later than forty-five (45) days prior to expiration of the current License. Applications shall be submitted upon the appropriate Common License Renewal Form, filled out in its entirety, and shall be accompanied by the appropriate documentation and fees, as detailed on the Common License Renewal Form.

215-4 CONDUCT

a. Driver Code of Conduct

The following rules shall govern the conduct of all Taxicab Drivers operating pursuant to a Hack License issued by the Municipality:

   I. The Driver shall obey all applicable traffic laws and municipal local laws and ordinances.
II. The Driver shall be courteous to passengers and comply with all reasonable requests of the passengers.

III. The Driver shall be clean and neat in dress and person, physically and mentally fit to operate a Taxicab and free from the use of intoxicating substances.

IV. The Driver shall keep the inside of his/her Taxicab in a clean and sanitary condition and shall ensure that all required postings are maintained and visible to passengers.

V. The Driver shall keep the inside of his/her Taxicab free from smoke, and no one riding in the vehicle shall engage in smoking cigarettes, cigars, pipes, e-cigarettes or any other smoking paraphernalia.

VI. The Driver shall take passengers to their destinations by the shortest reasonable route, unless requested otherwise.

VII. The Driver shall not permit other people to occupy or ride in the Taxicab while customers are being transported.

VIII. The Driver shall transport Service Animals.

IX. The Driver shall disclose the applicable Taxicab rate, including any Fees or Tolls, to the passenger prior to the commencement of the trip, and shall utilize the Taximeter or approved equivalent metering application during the course of the trip. In the event the exact fare is unknown in advance, the Taxicab driver shall provide a reasonable estimate of the expected fare, and disclose the method of fare calculation.

b. Vehicle Requirements

Each Taxicab shall comply with the following:

I. No Taxicab shall be older than ten (10) years old.

II. All Taxicabs shall be clearly identified or marked on the exterior as follows:
   1. A light on the roof, with the legend “TAXI”, to be lit at night.
   2. Functioning Taxicab “trouble lights” on the front and rear of the Taxicab.
   3. The Name of the company, owner or operator of the Taxicab, the phone number, and the company’s hours of operation, displayed in a manner that is legible and visible from a reasonable distance.
   4. The unique identifying number of the particular Taxicab vehicle, marked on the sides and rear of the vehicle, displayed in a manner that is visible from a reasonable distance.
   5. The Taxicab Medallion, as directed by the Municipality.

III. All Taxicabs shall display, in the interior of the Taxicab, and in a manner that is clearly visible to passengers, the following:
1. The Owner’s License and Medallion pursuant to which the Taxicab is being operated.
2. The Hack License of the Taxicab Driver, with accompanying photo.
3. The Customer Bill of Rights.
4. The Schedule of all applicable Fares, Rates and Fees.
5. The Customer Complaint statement.

c. Compliance with Rules
All Taxicab Owners and Taxicab Drivers shall be responsible for compliance with the provisions of this Chapter and the law. Taxicab Owners and Taxicab Drivers shall be required to investigate and resolve any complaints or matters relating to the operation of Taxicabs in the Municipality.

d. Travel Log
All Taxicab Drivers and Taxicab Owners shall be responsible for maintaining records of all trips, including: time dispatched, date and time of the trip, the pick-up and drop off locations, the duration of the trip, the vehicle utilized for the trip, the number of passengers, and the fare charged. The trip record shall be maintained for a period of at least one year, and shall be submitted to the Municipality for review upon request.

e. Accident Protocol
   I. A motor vehicle accident report shall be immediately filed with the Municipality or its designee for any accident arising from or in connection with the operation of a Taxicab.
   II. Taxicabs involved in accidents may be inspected at the discretion of the Municipality for safety and cleanliness prior to returning to service.

215-5 INSPECTION

a. No Taxicab shall be included on an Owners’ License, nor shall a Taxicab Medallion be issued, re-issued or renewed, and no Taxicab shall be Operated within the Municipality unless and until proof has been submitted with the application for issuance, re-issuance or renewal that it has undergone both a mechanical and physical inspection in compliance with the requirements of this Chapter and New York State Inspection Laws.

I. Mechanical Inspection
   All Taxicabs must conform to the New York state Vehicle Inspection Law requirements at all times.

II. Preventative Maintenance
Taxicabs shall be well maintained and shall undergo regular preventive maintenance services. Maintenance and inspection records for each vehicle licensed as a Taxicab must be kept for the life of the vehicle.

III. Physical Inspection

1. The Municipality and designees shall have the authority to inspect all Licensed and Medallioned Taxicabs upon notice or demand. The Municipality shall perform inspections upon all Medallioned Taxicabs under its authority at least once per year. This inspection must occur before a Taxicab may receive a medallion.

2. All Taxicabs shall be safe and well maintained, and all systems shall be fully operational. Each Taxicab shall have functioning heat and air conditioning.

3. Medallions issued for each Taxicab shall be prominently displayed and be registered to the vehicle to which it is affixed.

4. The exterior of each Taxicab shall be clean and in good repair, without obvious major body damage.

b. Thereafter, upon good cause, including customer complaint and in the interest of safety, the Municipality and designee shall have the authority to inspect Medallioned Taxicabs for compliance with this Chapter.

c. Taxicabs not conforming to New York State Vehicle Inspection requirements, or which are otherwise deemed to be unsafe or not in compliance with this Chapter, shall be taken out of service immediately. The Taxicab must be re-inspected prior to being entered back into service.

215-6 FEES AND PENALTIES

a. The City Council shall establish from time to time, by resolution, fees for licenses and medallions issued under this Chapter.

b. Any person who violates any provision of this chapter or any rule or regulation made pursuant to this chapter shall, upon conviction, be subject to the penalties set forth in Chapter 1, General Provisions, Article III, of this code. The Department of Public Safety is hereby authorized to enforce the provisions of this chapter. The Police Department is authorized to issue appearance tickets in accordance with Article 150 of the Criminal Procedure Law for violations of this chapter.

215-7 SUSPENSION/REVOCATION

a. Municipal Authority
All powers related to licensing, enforcement, and compliance within the Municipality shall be exercised by the Municipality from which the license or medallion has been requested or for which the license or medallion has been issued.

b. Suspensions and Revocations of Licenses

I. A Taxicab Owners’ License issued pursuant to this Chapter may be suspended or revoked for the following reasons:
   1. The licensee fails to meet the criteria for the issuance of such License;
   2. The licensee permits the operation of a Taxicab by a person not licensed under the provisions of this Chapter;
   3. A vehicle registered to the licensee has been used for an illegal purpose or business;
   4. The licensee engages in any other conduct which evidences his/her inability to safely engage in the business of operating a Taxicab or which evidences a disregard for public safety; AND/OR
   5. The licensee provides information that is found to be false, illegal and/or a misrepresentation of the facts materially related to the issuance of this License; and/or
   6. The licensee fails to maintain the insurance required of this License.

II. A Hack License issued pursuant to this Chapter may be suspended or revoked for the following reasons:
   1. Failure to properly maintain a vehicle and/or equipment;
   2. Physical or mental disability of a Driver that renders him/her temporarily or permanently unfit for the safe operation of a Taxicab;
   3. Knowingly filing a false application;
   4. Any conviction of a criminal offense committed during or in relation to Taxicab operations. In addition, conviction of a criminal offense which might impair, impede or endanger the efficiency, effectiveness or safety of the public;
   5. Any Driver who operates with an expired, conditional, suspended or revoked Hack License or Owners License;
   6. The suspension or revocation of a Driver’s New York State license by the New York State Department of Motor Vehicles; AND/OR
   7. Commission of two (2) or more moving traffic violations and/or accidents while driving a Taxicab.

III. A Medallion issued pursuant to this Chapter may be suspended or revoked for the failure to comply with any provisions of this Chapter.

IV. For Uniform Licenses and Medallions, each participating municipality shall retain all powers relating to licensing, enforcement and compliance
regarding the operation of Taxicabs within the boundaries of the Participating Municipality only.

c. **Notice**
   Notice of revocation or suspension of License and the reason(s) thereof as well as the applicant’s right to be heard shall be served by the Municipality or their designee upon the Person named in the license or by mailing the same to the address given in the license and by filing a copy of such notice in the Office of the Municipality’s Clerk with an affidavit of service or mailing. If a License I revoked or suspended, no refund of any unearned portion of the License fee shall be made. The Municipality, upon good cause, may issue an immediate suspension of the License.

d. **Term of Suspension**
   A suspension of a License by the Municipality shall be effective for thirty (30) days, running from the date of notification upon the License holder. Any two (2) suspensions within any twelve (12) month period shall automatically result in a revocation.

e. **Review of Denial, Suspension or Revocation**
   Any applicant who shall have been refused a License, or a License holder whose License shall have been revoked or suspended, may appeal to the Municipality’s Hearing Officer for review of such denial, revocation or suspension. The aggrieved party may, within thirty (30) business days after receiving written notice, file a written request upon the Hearing Officer for review of said decision.

f. **Hearing Officer**
   A Hearing Officer may be appointed by Municipality to hear and decide appeals taken from any determination made which denied, revoked or suspended such Taxicab Owners’ License, Hack License, and/or Medallion.

g. **Hearings**
   Upon receipt of a request for a hearing as provided above, the Hearing Officer shall set a time and place for a hearing and notify the appellant at least seven (7) days prior to the hearing. The aggrieved party shall have the option of whether such hearing shall be public or private. The hearing shall commence no later than thirty (30) days after the date on which the request was filed. Failure by the Hearing Officer to commence a hearing within thirty (30) days shall not be deemed to constitute approval or such request, if good and sufficient reason exists.

h. **Findings**
   The aggrieved party shall be given an opportunity to show cause why such denial of application or such suspension or revocation of license shall be modified or withdrawn. Upon consideration of the evidence presented at the hearing, the Hearing Officer shall sustain, modify or withdraw the decision of the Municipality by issuing the result in writing.
215-8 RATES AND FARES

a. Taximeters or equivalent application required.

I. It shall be unlawful for any person to operate or keep for hire or pay within the Municipality any Taxicab without first having each taxicab equipped with a Taximeter or equivalent application.

II. Every taxicab shall be equipped with a single-traffic taximeter of a type approved by the New York State Bureau of Weights and Measures and inspected by the County Department of Weights and Measures for accuracy. Equivalent applications may not be used unless approved by the Municipality or, in the case of Taxicabs operating pursuant to a Uniform Medallion, by each participating municipality.

III. The rates of fare to be charged for Taxicab service shall be as follows, and no other rates of fare may be charged by an Owner or Driver other than the rate established by this section:

1. First Half Mile $4.00
2. Each Additional 1/10 Mile $ .20
3. Any additional stop request by passenger $.50
4. Waiting time in Slow Traffic (per Minute) $ .30
5. Each Additional Passenger 18 or over $1.00
6. Each additional passenger over two years of age $.50
7. For each ride in which a driver must handle groceries $1.00
8. Surcharge evenings after 6:00 p.m. $1.00
9. All Legal Holidays $1.00

215-9 SEVERABILITY

In the event that any provision of this Chapter shall be deemed illegal or otherwise unenforceable by a court of competent jurisdiction, then only that specific provision shall not be enforced, and all other sections and provisions shall remain in full force and effect.
One more piece. Thanks

Ed Kosiur
President, Schenectady City Council

From: Philip Gibbs Jr <pgibbsjr23@gmail.com>
Sent: Tuesday, January 15, 2019 12:09 PM
To: Vincent Riggi; Ed Kosiur
Subject: Rates

Gentleman

Please find attached the current rate sheet that we have on our vehicles. There actually is a typo it should say each additional passenger over 2yrs (after 2 passengers) originally where it says these rates effective 8/8/2016 it used to say something like these rates apply for 1-2 passengers.

The ordinance does indeed say that the surcharge is $1.50, but we found people complained over this so we lowered it on our cars to 1$ which in retrospect probably was a mistake that is an extra 50 we could have nights weekends and holidays

While CDTA is suggesting .20 every 1/10th of a mile we find that it works better at the .25 every 1/8th of a mile. (it is the same amount $2.00, per mile, but quarter intervals are much easier to work with and tends to have less arguments)

As I was saying we should be the standard bearer as we are the only ones that have been, and are currently using meters.

We would be open for any sit down meeting anytime, other than Weds

Phil
<table>
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<th>Description</th>
<th>Rate</th>
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<td>FIRST 1/2 MILE OR TWO MINUTES WAITING TIME OR COMBINATION THEREOF</td>
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<tr>
<td>EACH ADDITIONAL 1/8 MILE OR 30 SECONDS WAITING TIME OR COMBINATION THEREOF</td>
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<tr>
<td>EACH ADDITIONAL PASSENGER OVER 2 YEARS</td>
<td>0.50</td>
</tr>
<tr>
<td>EACH ADDITIONAL STOP REQUESTED BY PASSENGER</td>
<td>0.50</td>
</tr>
<tr>
<td>EACH CALL WHERE DRIVER MUST HANDLE GROCERIES (MIN.)</td>
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<tr>
<td>EACH (15) FIFTEEN MINUTES OF WAITING TIME REQUESTED BY PASSENGER</td>
<td>7.50</td>
</tr>
<tr>
<td>ADDITIONAL SURCHARGE EVENING HOURS BETWEEN 6PM AND 6AM, ALL DAY SAT., SUN., AND LEGAL HOLIDAYS</td>
<td>1.00</td>
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Committee: City Development & Planning

From: John Polimeni

Subject Discussion Sidewalk Replacement Program

Background Info:

Evaluation/Analysis

Recommendation
City of Schenectady Sidewalk Program Special Assessment Districts

Sidewalks are an integral part of cities, helping to protect the health, welfare and safety of pedestrians in the community. Enhancing the quality of city sidewalks not only attracts more pedestrians, but also helps to create enjoyable public spaces where people want to spend their time. A successful sidewalk is more than just a route for getting from one place to the next; it is also a place to stand, to meet others, and to participate in neighborhood life.

City Code Chapter 228 (228.18) requires property owners to maintain their sidewalk. The code also permits the City to mandate repairs or for the City to perform the work and bill the property owner. However, many people in the City do not repair their sidewalk due to the expense or some property owners do not realize it is their responsibility to maintain their sidewalk.

There is approximately 200 miles of sidewalk in Schenectady, which would require roughly 5.3 million square feet of cement assuming a 5’ width, 6” thick sidewalk. The total expense of replacing these sidewalks at the prevailing cost of $80 per square yard would be approximately $424 million.

**Timeframe:**

Start work spring of 2019

**Qualification:**

75% of the property owners in the special assessment district sign petition in favor of the sidewalk program. Petition list will be confirmed by the Corporation Counsel office.

The special assessment district must be at least one city block.

Special assessment districts priority will be matched with the paving program so a neighborhood can have both newly paved streets and new sidewalks

**Payment:**

Residents can pay the for the cost of the sidewalk all at once, early, or in payments that will be added as a special assessment fee on their tax bill.

**Cost:**

Cost of the sidewalk will be based upon the frontage of the property, so each property owner will pay their actual cost with interest.

**Payback Period:**

The special assessment will be paid-off in either 5, 7, or 10 years; depending on what the City Council determines.
**City-owned property:**

These properties will also have sidewalks replaced. The cost will transfer to the new owner once the property is sold.

**Selling property:**

Cost of the sidewalk is transferred to the new owner.

**Exemptions:**

If the 75% property owner threshold is met, no one in the special assessment district will be exempt from getting and paying for sidewalks except for property owners that have existing sidewalk that is found to be up-to-code by the City Engineering Department.

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**Sidewalk Replacement Cost (Dollar amounts will change based on Bid prices)**

An example:

1. **Assuming 50 feet of sidewalk** that needs replacement at a rate of $80 per square yard of 6 inch thick and 5 feet wide sidewalk.

50 feet long by 5 feet wide = 250 square feet

250 square feet/9 square feet per yard = 27.78 square yards

27.78 square yards times $80 per square yard = **$2,222.40** for sidewalk replacement

**Cost of replacing sidewalk privately (on average):**

**Assuming 50 feet of sidewalk** that needs replacement at a rate of $110 per square yard of 6 inch thick and 5 feet wide sidewalk.

50 feet long by 5 feet wide = 250 square feet

250 square feet/9 square feet per yard = 27.78 square yards

27.78 square yards times $110 per square yard = **$3,055.80** for sidewalk replacement

**Cost to Property Owner: (Assumes a 50-foot frontage and a 4% Interest Rate)**

Using a 5-year payback period and a 4% interest rate, the cost for Sidewalk replacement would be approximately $40.93 per month or $2,455.73 over 5 years for a 50-foot sidewalk.

Using a 7-year payback period and a 4% interest rate, the cost for Sidewalk replacement would be approximately $30.38 per month or $2,551.71 for a 50-foot sidewalk.
Using a 10-year payback period and a 4% interest rate, the cost for Sidewalk replacement would be approximately $22.50 per month or $2,700.09 for a 50-foot sidewalk.

**What’s the advantage?**

Sidewalks (concrete) are expensive. Under the Sidewalk Program, residents would be able to have new sidewalks paid-off over time (akin to a layaway program) versus paying for the cost of the sidewalk all at once. Also, the City can get a price that is less expensive due to purchasing in bulk.
Committee: City Development & Planning

From: Ed Kosiur

Subject: CR - Peters Family

Background Info:

Evaluation/Analysis

Recommendation
A Resolution Honoring the Peters Family for 100 Years of Service to the Schenectady Police Department

WHEREAS, members of the Peters family have been serving the Schenectady Police Department with distinction for one hundred years encompassing four generations; and

WHEREAS, the Peters family can trace their lineage back to the original Dutch settlers of the City of Schenectady in 1661. Because of their deep roots in the community, the Peters family has always been especially devoted to the City of Schenectady and its civic population;

WHEREAS, Joseph A. Peters joined the Schenectady Police Department in 1919 and retired as Schenectady Police Chief in 1951 after 32 years of service; and

WHEREAS, Joseph A. Peters II joined the Schenectady Police Department in 1939 and retired as Schenectady Police Chief in 1981 after 42 years of service. He attended the Federal Bureau of Investigation National Academy Session # 23 while serving as Police Chief so that he was able to instruct his department on the best practices in law enforcement. He was highly regarded as a fingerprinting expert by local, state, and federal law enforcement during his tenure as Police Chief and served as Director for the Bureau of Criminal Identification throughout that time; and

WHEREAS, Joseph A. Peters III joined the Schenectady Police Department in 1963 and retired as Captain in 2003 after 40 years of service to the department. Like his father, Captain Peters also attended the Federal Bureau of Investigation National Academy Session #91. He served in a supervisory position for 23 years of his tenure as patrol sergeant, lieutenant of the traffic division, and commanding officer of the investigative division. He was a supervisor of the police department’s vice squad and responsible for the formation of the Riot Control Unit in 1965; and

WHEREAS, Joseph A. Peters IV joined the Schenectady Police Department in 1998 and currently serves the community as a Detective with the Special Investigative Unit. During his tenure with the police department he has devoted 16 years to police honor guard and served for 7 years on the Special Operations Squad; and

WHEREAS, Eric J. Peters joined the Schenectady Police Department in 1998 and is currently serving as an Explosive Detection K-9 Handler. Prior to becoming a K-9 handler, Officer Peters also served as a detective with the youth aid bureau and detective division. Officer Peters has served with the police department honor guard for the last 16 years next to his brother. He also served on the Special Operations Squad for fifteen years including four years as respected team leader, and spent fourteen years as a part-time tactical trainer for the department; and

WHEREAS, Captain Peters III, Detective Peters IV, and Patrolman Eric Peters all served their country as well as their city. Captain Peters III served in the U.S. Army during the Vietnam War. Detective Peters IV served as a Ranger with the U.S. Army. In addition, he also served as a Captain with the U.S. Army National Guard and U.S. Air National Guard. Patrolman Eric Peters served as a Military Police Officer in the U.S. Army National Guard; and
WHEREAS, all five members of the Peters family served the City of Schenectady with honor, strength, and dedication; and

WHEREAS, each generation was fortunate to be able to work beside the previous generation to gain the skills and knowledge it took to be an effective police officer; and

WHEREAS, it is unique and deserving of distinction that there has never been a break in service to the City of Schenectady by the Peters family over the last century;

NOW, THEREFORE BE IT,

RESOLVED, that the Mayor, Gary R. McCarthy and the Schenectady City Council hereby pause in their deliberations to honor the Peters family for 100 years of service to the Schenectady Police Department and to the City as a whole.

Approved as to form this 28th day of January, 2019.

Carl G. Falotico, Esq.
Corporation Counsel
Committee: City Development & Planning

From: Karen Zalewski-Wildzunas

Subject CR - Quest

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning

From: Andrew Koldin

Subject Sale of 83 McClellan Street

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning  Committee Date: Tuesday, January 22, 2019

From: Andrew Koldin

Subject  Sale of 2517 Consaul Road

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning  
Committee Date: Tuesday, January 22, 2019

From: Andrew Koldin
Subject: Sale of 1615 Eastern Parkway

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning
From: Andrew Koldin
Subject: Sale of 1033 Park Street

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning

From: Andrew Koldin

Subject: Sale of 1222-1224 Third Avenue

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning

From: Andrew Koldin

Subject: Sale of 1226 Seventh Avenue

Background Info:

Evaluation/Analysis

Recommendation
TO: City Council

FROM: Andrew Koldin, Assistant Corporation Counsel

SUBJECT: Consecration Temple Church of God and Christ, Inc. - Taxes

Background Information:
Consecration Temple Church of God and Christ, Inc. (COGIC) owns 1312 State St. In 2008, the school district, using the 2007 assessment roll, issued a bill to COGIC for the 2008-2009 school taxes. According to the 2007 assessment roll, COGIC was not tax exempt. According to the 2008 assessment roll, which was finalized in July 2008, COGIC was tax exempt. The 2008-2009 school taxes became delinquent on August 1, 2008.

COGIC is now seeking relief from the school taxes that became liens and the associated interest and penalties.

Evaluation/Analysis:
NYS Assembly Bill A9844 of 2014, which was signed into law as Chapter 398 of the Laws of 2014, provides that if a property subject to a delinquent tax lien becomes tax exempt before such delinquency, the real property shall be deemed to have retained its tax exempt status, provided that the City Council approve any individual requests for the retention of such tax exempt status.

COGIC was tax exempt by the time the 2008 assessment roll was finalized in July 2008. The school taxes became delinquent on August 1, 2008. Therefore, pursuant to the aforementioned law, 1312 State St. is deemed to have been tax exempt, so long as the City Council approves the request.

Recommendation:
Resolution authorizing the continuation of tax-exempt status of Consecration Temple Church of God and Christ, Inc. located at 1312 State Street and retroactively apply it to previous years as authorized by law.
Committee: Administrative Efficiency  

Committee Date: Tuesday, January 22, 2019

From: Ed Kosiur

Subject: Creation of City Council Youth Advisory Board

Background Info:

Evaluation/Analysis

Recommendation
WHEREAS, The City Council of the City of Schenectady believes strongly that our city is and should continue to be a family-friendly community; and

WHEREAS, the City Council of the City of Schenectady recognizes that encouragement and nurturing of families is best achieved when its youth are empowered, supported and informed so that they can be productive members of the community; and

WHEREAS, in an effort to realize its commitment to youth, the City Council by adoption of this ordinance has established the City of Schenectady Youth Advisory Board.

**YOUTH ADVISORY BOARD**

(A) *Establishment and powers.* The Youth Advisory Board is hereby established to advise the city council on matters related to youth. The Youth Advisory Board shall have the power to plan and organize youth summits and neighborhood meetings throughout the city; develop and recommend the adoption of policies, programs and services that empower, support and inform the youth of the city; advise the city council on issues that relate to youth; and build partnerships with individuals, groups and organizations that impact both youth and families.

(B) *Composition and qualifications.* The city council shall appoint up to seventeen (17) members. Twelve (12) of the members are youth members between the ages of 13 and 20 and attend a school that services Schenectady City residents or live within the city. Three (3) members are adult members, preferably each residing in a different neighborhood of the city. Two (2) members are city council members, whom are appointed by the City Council President. The Mayor shall appoint one (1) city staff member to sit as a non-voting member of the Youth Advisory Board.

(C) *Terms of Office.* Except for vacancies in unexpired terms, members shall serve no more than two, two-year terms (Mayor’s non-voting member is exempt from this provision). Youth members who reach the age of 20 while in office shall be deemed to have resigned their positions as of the date of their birthday.

(D) *Meetings.* The Youth Advisory Board shall meet as necessary to perform its duties. Notice of any meeting of the Youth Advisory Board, and the agenda for such meeting, shall be posted on the city’s website and including in the Daily Gazette Community Notes.

(E) *Quorum.* A majority of voting members shall constitute a quorum.

**Mission**

The Schenectady City Council Youth Advisory Board advises the city council on matters related to youth. The Youth Advisory Board has the power to plan and organize youth summits and neighborhood meetings throughout the city, develop and recommend the adoption of policies, programs and services that empower, support and inform the youth of the city, advise the city council on issues that relate to youth, and build partnerships with individuals, groups and organizations that impact both youth and families.