# SCHENECTADY CITY COUNCIL
## COMMITTEE AGENDA

**for**  
**Tuesday, February 19, 2019**  
**5:30 p.m.**  
**Room 110**

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

### Finance
1. Discussion w- State Legislators  
   - **John Polimeni**

### Public Safety
1. Albany, Colonie, Schenectady Data Consortium (ACSDC) Intermunicipal Agreement  
   - **Mike Seber**

### Administrative Efficiency
1. Final Review - Creation of a Youth Advisory Board  
   - **Ed Kosiur**
2. Affirmative Action Quarterly Report  
   - **Ron Gardner**

### City Development & Planning
1. Final Review - CDTA Taxi Ordinance  
   - **John Polimeni**
2. Final Review - Sidewalk Replacement Program  
   - **John Polimeni**
3. Discussion: Emergency Parking Restrictions, Proper Signage, Additional Streets  
   - **Karen Zalewski-Wildzunas**
4. CR - Schenectady Jr. ROTC  
   - **John Polimeni**
5. Sale of 1851 Foster Avenue  
   - **Andrew Koldin**
6. Sale of 451 Manhattan Street  
   - **Andrew Koldin**
7. Sale of 570 Clarendon Street  
   - **Andrew Koldin**
8. Sale of 1621 Carrie Street  
   - **Andrew Koldin**
9. Sale of 841 Grant Avenue  
   - **Andrew Koldin**

### Claims
1. Claim Mapfre a/s/o Therrien  
   - **Meaghan Fitzpatrick**
2. Property Claim - ELRAC, LLC  
   - **Meaghan Fitzpatrick**
3. Tax Certiorari - 252 Union Street  
   - **Meaghan Fitzpatrick**
4. Tax Certiorari - 28 Roland Place  
   - **Meaghan Fitzpatrick**

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Friday, February 15, 2019
Committee: Finance

From: John Polimeni

Subject: Discussion w- State Legislators

Background Info:

Evaluation/Analysis

Recommendation
CITY OF SCHENECTADY
LEGISLATION REQUEST FORM

COMMITTEE ASSIGNMENT: Public Safety

DATE: February 15, 2019

TO: COUNCILMEMBERS

FROM: Assistant Chief Michael Seber

SUBJECT: Intermunicipal Agreement

TO BE PLACED ON COUNCIL AGENDA OF: February 19, 2019

Background Information:

The Schenectady Police Department wishes to establish a consortium made up of the Schenectady Police Department, Albany Police Department, Colonie Police Department and the Schenectady County Unified Communications Center (UCC) for the purpose of establishing a method of sharing data through an integrated computer aided dispatch and records management system.

Attached are details regarding the Albany, Colonie, Schenectady Data Consortium (ACSDC) and the intermunicipal agreement.

Recommendation/Action

The Police Department recommends acceptance of the Intermunicipal Agreement.

LEGISLATION WILL BE PREPARED BY: Assistant Chief Michael Seber
The State of New York
City of Albany
Town of Colonie
City of Schenectady
County of Schenectady

**INTERMUNICIPAL AGREEMENT**

This Intermunicipal Agreement (the "Agreement") entered into on the ______ day of ____________, 2019, by and between the City of Albany, Town of Colonie, City of Schenectady and County of Schenectady and all of the Agencies listed on Appendix "A". (collectively the "Parties"); and

**WHEREAS**, there is a need to cooperate, and establish a method of sharing data through an integrated computer aided dispatch and records management system to serve the City of Albany, Town of Colonie, City of Schenectady and County of Schenectady; and the surrounding region; and

**WHEREAS**, the parties recognize that there is a need to form the Albany, Colonie, Schenectady Data Consortium (ACSDC). The Consortium will be governed by a regulatory board of directors (the "Board of Directors") for the purposes of managing and creating policy to govern the portions of this system that impact all users. The board shall consist of representative one of each law enforcement agency of the respective parties named in the attached Appendix "A"; and

**WHEREAS**, the ACSDC has been officially endorsed by the City of Albany, Town of Colonie, City of Schenectady, County of Schenectady and any municipality listed in Appendix "A", pursuant to General Municipal Law § 119-0 to develop policy and manage certain aspects and portions of an integrated computer aided dispatch and records management system.

**WHEREAS**, the Consortium will establish standards and procedures for the sharing of data, as well as with other public service agencies and surrounding counties; and

**WHEREAS**, it is the desire of the Primary Agencies to use the Consortium for the purpose of sharing data through a regional network; and

**WHEREAS**, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and
WHEREAS, each participating member in the Consortium will report all findings and projected costs to its respective legislative and executive bodies before any funds can be obligated.

NOW THEREFORE, in consideration of the mutual benefits to the parties, the parties hereby agree as follows;

SECTION I. DEFINITIONS

Primary Agency: Primary Agency(ies) shall be defined as the Albany Police Department, Colonie Police Department, Schenectady Police Department and the Schenectady County Unified Communications Center. The Primary Agencies are the agencies holding software license agreements with HITECH SYSTEMS operating and dependent upon existing Infrastructure.

Board of Directors: The Consortium shall have a Board of Directors which shall be responsible for the management and sharing of data entered into the integrated computer aided dispatch and records management system, as well as any operational procedures, methods or changes that would have an impact on all users. Each Primary Agency shall have sole authority over its own operations and procedures so long as they don't adversely impact another user of the system. The Board of Directors shall consist of one (1) designated person from each Primary Agency. The Chief of Police, or Municipal Governing Body from such Primary Agency shall designate in writing who they have appointed to the Board of Directors. Such appointee must be a sworn member of the agency/municipality's Police Department. The Board of Directors shall meet not less than 4 times per year. Each Director shall have one (1) vote on any matters coming before the Board of Directors. A majority vote is required to institute or formalize any matter coming before the Board of Directors.

Agency Point of Contact: The Agency Point of Contact shall be defined as the member of a Primary Agency who has been designated in writing by their respective agency to communicate with the Board of Directors, and has been appointed by their respective agency to serve as a member of the Advisory Board. Each Primary Agency may designate two (2) points of contact. All recommendations, requests and issues will be presented to the Board of Directors in writing by the Agency Point(s) of Contact.

Advisory Board: The Consortium will have an Advisory Board which shall consist of the Agency Points of Contact designated from each Primary Agency. The Advisory Board may make recommendations to the Board of Directors concerning operational policies, procedures, related systems hardware and software, and any other issues that impact each agency as a group. A majority vote is required to pass any motion on recommendations to the Board of Directors. The Advisory Board may elect a Chairperson to provide efficient communications to the Board of Directors.
SECTION 2. RESPONSIBILITIES

Basic Data Sharing: Each agency agrees to share its data contained in any arrest report, incident report, domestic incident report, traffic stop, contact interview or any other report with the exception of investigative reports or notes, internal documents or sensitive files.

Data Ownership: Each contributing agency shall retain rights of ownership to any and all data housed and stored in their individual servers. Primary Agencies may only disclose their own data to other parties.

Equipment: All equipment currently owned or individually purchased in the future by a Primary Agency shall remain that member's property.

Technical Support Responsibilities: Information Services personnel from primary agencies shall be authorized to remotely access the system to perform routine maintenance tasks and repair for their individual agency's system components as needed. Board of Directors can grant permission to Information Services personnel from primary agencies to remotely access the system to perform maintenance tasks and repair on the system components that are universal to other participating agencies.

Security Policies: The Board of Directors shall be responsible for developing and implementing system policy including but not limited to user policy, network security policy, server security policy, and application security policy. Any agency that has access to the system agrees to be bound by the system policies as outlined by the Board of Directors. Security audits may be performed to ensure compliance with system policies.

Financial Responsibilities:

SNARE System Maintenance: Shall be equally shared by the City of Albany, Town of Colonie, City of Schenectady and County of Schenectady, and they shall be responsible for paying the maintenance of the system.

Independent Licenses and Fees: Each Primary Agency shall maintain its own contract with HITECH SYSTEMS for software licensing and maintenance, and shall be responsible for any costs associated with individual license and maintenance agreements between their agency and HITECH SYSTEMS.

Grant Compliance: All agencies in the Consortium shall cooperate to comply with any grant requirements.

Maintenance: Each Primary Agency shall be responsible for the costs of maintaining its own physical primary site; including any taxes, heating and cooling systems, providing electricity, backup power, and fire suppression systems. Each Primary site shall also bear the cost of any routine service for the maintenance and repair of its own associated hardware and any elective service contracts that pertain to its individual agency.
Structural Modifications or Repairs: This Agreement shall not obligate any Primary Agency to make or cause to be made any structural modifications to its current systems.

Software License: Each Primary Agency shall be responsible for maintaining its own software licenses.

SECTION 3. COOPERATIVE INTER-MUNICIPAL AGREEMENT:

The Primary Agencies have recognized the need for working together in a cooperative and productive atmosphere for the purpose of sharing data. These municipal corporations hereby agree to endorse the creation of the Consortium to serve all police, fire and EMS agencies associated with the Primary Agencies as well as any other municipal or private entities which may benefit the Consortium and its goals of data sharing in the interest of public safety.

SECTION 4. EFFECTIVE DATE AND TERM:

The conditions and procedures outlined in this Agreement shall be in full force and effect immediately upon execution of this Agreement. The terms of this Agreement shall be effective for a period of five years. Each Primary Agency shall have the right to terminate its participation in this Agreement at any time with or without cause upon providing one (1) year written notice to the other Primary Agencies.

Amendments: This Agreement represents the entire Agreement between the Parties and no amendments or additions thereto or modifications thereof have been agreed to or will be binding hereafter, unless evidenced in writing by the Parties.
SECTION 5. NOTICE:

All notices to be given hereunder shall be given in writing and shall be delivered personally or by U.S. mail as follows:

A. City of Albany

B. Town of Colonie

C. City of Schenectady

D. County of Schenectady
SECTION 6. INDEMNIFICATION:

Each Primary Agency agrees to defend, indemnify and hold harmless each other Primary Agency, its officers, employees, and agents from and against all claims, damages, losses and expenses arising out of or resulting from the negligent act or "omission of the Primary Agency, its officers, employees, and agents in connection with or as the result of this Agreement.

IN WITNESS WHEREOF, each of the Parties has duly signed this Agreement on the dates written below.

City of Albany

_________________________________________  __________________________

Date

Town of Colonie, by

_________________________________________  __________________________

Paula A. Mahan
Supervisor

Date

City of Schenectady, by

_________________________________________  __________________________

Date

County of Schenectady, by

_________________________________________  __________________________

Date
STATE OF NEW YORK  )
CITY OF ALBANY    ) SS.:

On the ______ day of ____________, 2019, before me, the undersigned, a notary public in and for the state, personally appeared ______________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the attached instrument and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

______________________________
NOTARY PUBLIC

STATE OF NEW YORK  )
TOWN OF COLONIE    ) SS.:

On the ______ day of ____________, 2019, before me, the undersigned, a notary public in and for the state, personally appeared ______________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the attached instrument and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

______________________________
NOTARY PUBLIC

STATE OF NEW YORK  )
CITY OF SCHENECTADY ) SS.:

On the ______ day of ____________, 2019, before me, the undersigned, a notary public for the state, personally appeared ______________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the attached instrument and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

______________________________
NOTARY PUBLIC
STATE OF NEW YORK  
SCHENECTADY COUNTY  ) SS:

On the ___________day of ________________, 2019, before me, the undersigned, a notary public for the state, personally appeared ____________________, personally know to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the attached instrument and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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NOTARY PUBLIC
Committee: Administrative Efficiency

From: Ed Kosiur

Subject: Final Review - Creation of a Youth Advisory Board

Background Info:

Evaluation/Analysis

Recommendation
Chapter 106 Youth Advisory Board

106-1. Establishment and powers.
   A. The Youth Advisory Board is hereby established to advise the City Council on matters related to youth.
   B. 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.

106-2. Composition and qualifications.
The City Council shall appoint up to seventeen members. Twelve 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 members are adult members, over the age of 20, preferably each residing in a different neighborhood of the City. Two members are City Council members, whom are appointed by the City Council President. The Mayor shall appoint one City staff member to sit as a non-voting member of the Youth Advisory Board.

106-3. 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.

106-4. 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 official city newspaper.

106-5. Quorum.
A majority of voting members shall constitute a quorum.
Committee: Administrative Efficiency

From: Ron Gardner

Subject: Affirmative Action Quarterly Report

Background Info:

Evaluation/Analysis

Recommendation
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee: City Development & Planning

From:

Subject: Final Review - 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.cdta.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.

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.

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.
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, 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. Suspension and Revocation 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 is 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.
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee:  City Development & Planning

Committee Date:  Tuesday, February 19, 2019

From:  John Polimeni

Subject:  Final Review - Sidewalk Replacement Program

Background Info:

Evaluation/Analysis

Recommendation
A Resolution Encouraging Residents to Utilize the Sidewalk Replacement Program.

WHEREAS, sidewalks are an integral part of our city, helping to protect the health, welfare and safety of pedestrians in the community; and

WHEREAS, in the 2019 capital budget, this City Council has allocated $1,000,000 to go towards sidewalk improvements; and

WHEREAS, the City Charter in Section C3-6, allows residents to petition the City for sidewalk improvements as long as 25% of the property owners in a district support the improvements; and

WHEREAS, this City Council, believing that 25% of property owners is too low of a threshold, shall not approve an application for sidewalk improvements if it is not supported by 75% of property owners in a district; and

WHEREAS, forms to be used by residents petitioning for sidewalk improvements shall be available in the City Clerk’s Office, and anyone who needs information on property ownership may request assistance from the City Assessor:

NOW THEREFORE BE IT,

RESOLVED, that this Council encourages residents to speak with their neighbors and neighborhood associations, and if sidewalk improvements would benefit their neighborhood, to submit petitions to the City Clerk’s Office which the City Council will promptly review.

Approved as to form this
day of February, 2019

Carl Falotico, Esq.
Corporation Counsel
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee: City Development & Planning

Committee Date: Tuesday, February 19, 2019

From: Karen Zalewski-Wildzunas

Subject: Discussion: Emergency Parking Restrictions, Proper Signage, Additional Streets

Background Info:

Evaluation/Analysis

Recommendation

Friday, February 15, 2019
Committee: City Development & Planning

From: John Polimeni
Subjec CR - Schenectady Jr. ROTC

Background Info:

Evaluation/Analysis

Recommendation
From: Andrew Koldin
Subject: Sale of 1851 Foster Avenue

Background Info:

Evaluation/Analysis

Recommendation
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee:  City Development & Planning
From:      Andrew Koldin
Subject    Sale of 451 Manhattan Street

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning

From: Andrew Koldin

Subject: Sale of 570 Clarendon Street

Background Info:

Evaluation/Analysis

Recommendation
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee:  City Development & Planning  Committee Date:  Tuesday, February 19, 2019
From:  Andrew Koldin
Subject:  Sale of 1621 Carrie Street

Background Info:

Evaluation/Analysis

Recommendation
Committee: City Development & Planning

Committee Date: Tuesday, February 19, 2019

From: Andrew Koldin

Subject: Sale of 841 Grant Avenue

Background Info:

Evaluation/Analysis

Recommendation
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee: Claims

Committee Date: Tuesday, February 19, 2019

From: Meaghan Fitzpatrick

Subject: Claim Mapfre a/s/o Therrien

Background Info:

Evaluation/Analysis

Recommendation
Committee: Claims

From: Meaghan Fitzpatrick

Subject: Property Claim - ELRAC, LLC

Background Info:

Evaluation/Analysis

Recommendation
SCHENECTADY CITY COUNCIL
Legislative Request Form

Committee: Claims

Committee Date: Tuesday, February 19, 2019

From: Meaghan Fitzpatrick

Subject: Tax Certiorari - 252 Union Street

Background Info:

Evaluation/Analysis

Recommendation
Committee: Claims

From: Meaghan Fitzpatrick

Subject: Tax Certiorari - 28 Roland Place

Background Info:

Evaluation/Analysis

Recommendation