

SCHENECTADY CITY COUNCIL COMMITTEE AGENDA

for
Monday, May 02, 2016
5:30 p.m.
Room 110

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

SURA Meeting

City Development & Planning

- | | | |
|----|---|-----------------|
| 1 | Ceremonial Resolution - Paint the Town Purple | Leesa Perazzo |
| 2 | Ceremonial Resolution - SCAP - Celebrating 50 years of Service | Ed Kosiur |
| 3 | Adoption of 2016-2017 Action Plan (CDBG) | Jaclyn Mancini |
| 4 | Adoption of the Amendments to 2014 and 2015 Action Plans (CDBG) | Jaclyn Mancini |
| 5 | Tribute Park (Eastern Ave.) from the Land Bank | Steve Strichman |
| 6 | Dise - Dog License Fee | Ed Kosiur |
| 7 | Progress Report - Sold Properties (Exec) | Steve Strichman |
| 8 | Sale of 507 Paige Street | Jaclyn Mancini |
| 9 | Sale of 532 Schenectady Street | Jaclyn Mancini |
| 10 | Sale of 1301 Second Avenue | Jaclyn Mancini |
| 11 | Sale of 1133 Albany Street | Jaclyn Mancini |
| 12 | Sale of 1235 Bradford Street | Jaclyn Mancini |
| 13 | Sale of 708 Union Street | Jaclyn Mancini |

Health & Recreation

- | | | |
|---|--|--------------------|
| 1 | ABAC - Sodium Hypochlorite for the City Swimming | Jeremy Howard |
| 2 | MMA NYS Assembly Bill 2604-C | Marion Porterfield |
| 3 | Safe Staffing for Quality Care Act | Marion Porterfield |

Public Safety

- | | | |
|---|---|---------------------------|
| 1 | BJA Bullet Proof Vest Partnership Grant | Asst. Chief Michael Seber |
|---|---|---------------------------|

Public Service & Utilities

- | | | |
|---|--|-------------|
| 1 | Use of Polethylene for Service Laterals in the City | Paul LaFond |
| 2 | Final Review - Regarding Street Repair - Section 151-11 & 228.20.2 | Ryan Bailey |
| 3 | Disc - Concerning Taxi Rate Increase | Vince Riggi |

Government Operations

- | | | |
|---|--|-----------------|
| 1 | Final Review - Waiver of Building Permit Fee | John Mootoveren |
| 2 | Final Review - Real Property Tax Exemptions | John Polimeni |
| 3 | Review - Amending City Code Regarding Nuisances Properties | Leesa Perazzo |

Claims

- | | | |
|---|--|---------------|
| 1 | Michael Cardeiro Property Damage Claim | Carl Falotico |
| 2 | Geico a/s/o Bankert Property Damage | Carl Falotico |
| 3 | Geico a/s/o Luis Lopez | Carl Falotico |
| 4 | Nicholas v. City of Schenectady | Carl Falotico |

Monday, May 2, 2016

CSL-1



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT: City Development & Planning
DATE: 05/02/2016**

TO: COUNCILMEMBERS

FROM: Leesa Perazzo

SUBJECT: Ceremonial Resolution - Paint the Town Purple

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY _____

CD-P-2



**CITY OF SCHENECTADY
COUNCIL COMMITTEE AGENDA REQUEST FORM**

COMMITTEE: *City Dev. & Planning*

DATE: 4/15/16

TO: COUNCILMEMBERS

FROM: Ed Kosiur

SUBJECT: SCAP - Celebrating 50 years of Service (For the May 02 agenda)

Background Information: SCAP (Schenectady Community Action Program) is celebrating 50 years of service to our most vulnerable residents within Schenectady County. Community Action was founded in 1965 to prevent and reduce poverty in its local communities. SCAP's mission is to alleviate the symptoms and eradicate the causes of poverty by helping people help themselves when they are in economic, educational, or social need.

Council Discussion Points: Sponsor a resolution recognizing SCAP for their 50th Anniversary. To be presented at their Anniversary dinner on Thursday, May 12, 2016.

Staff Required:

Legislation Required

Discussion Item

LEGISLATION WILL BE PREPARED BY

CITY OF SCHENECTADY
LEGISLATIVE REQUEST FORM

COMMITTEE ASSIGNMENT: *City Dev Plan* DATE: April 28, 2016

TO: City Council

FROM: Jaclyn Mancini, Director of Development

SUBJECT: Adoption of 2016-2017 Consolidated Plan-Action Plan

Background Information:

The adoption of the "Proposed 2016-2017 Consolidated Plan-Action Plan" as the "Final 2016-2017 Consolidated Plan-Action Plan" will result in the City of Schenectady allocating \$2,610,973 in funding from the U.S. Department of Housing and Urban Development from the CDBG, ESG, and HOME programs for housing, public service, economic development, neighborhood revitalization, public works, and administrative activities.

Evaluation/Analysis:

It is necessary to adopt the "2016-2017 Consolidated Plan-Action Plan" in order to receive funding. A public hearing was held on April 25, 2016 at 7:00pm in Room 209 and a thirty (30) day comment period was declared from April 6 through May 5, 2016.

Recommendation:

Adoption of the "2016-2017 Consolidated Plan-Action Plan" by City Council on May 9, 2016.

LEGISLATION WILL BE PREPARED BY LAW DEPARTMENT

**CITY OF SCHENECTADY
LEGISLATIVE REQUEST FORM**

COMMITTEE ASSIGNMENT: *City Dev. Plan* DATE: April 28, 2016

TO: City Council

FROM: Jaclyn Mancini, Director of Development

SUBJECT: Adoption of the Amendments to the 2014 and 2015 Consolidated Plan
- Action Plans

Background Information:

The adoption of the "Proposed Amendments to the 2014-15 and 2015-16 Consolidated Plan - Action Plans" as the "Final Amendments to the 2014-15 and 2015-16 Consolidated Plan - Action Plans" will result in the City of Schenectady reallocating \$1,325,000 in CDBG funding from the U.S. Department of Housing and Urban Development to eligible activities.

Evaluation/Analysis:

It is necessary to adopt the "Amendments to the 2014-15 and 2015-16 Consolidated Plan - Action Plans" in order to reallocate funding to eligible activities. A public hearing was held on April 25, 2016 at 7:00pm in Room 209 and a thirty (30) day comment period was declared from April 6 through May 5, 2016.

Recommendation:

Adoption of the "Amendments to the 2014-15 and 2015-16 Consolidated Plan - Action Plans" by City Council on May 9, 2016.

LEGISLATION WILL BE PREPARED BY LAW DEPARTMENT

Doc 15

CITY OF SCHENECTADY
LEGISLATION REQUEST FORM

COMMITTEE ASSIGNMENT: C D & P

DATE: April 28, 2016

TO: City Council
FROM: Steven Strichman
SUBJECT: Tribute Park (Eastern Avenue) – 866 Eastern from SURA for Land Bank.

TO BE PLACED ON PDC Committee meeting of 5/2/2016 & 5/9/2016

Background Information: The City, by resolution 2014-116 entered into an inter-municipal agreement with the Land Bank, SURA and other agencies to manage and administer the removal of blighted properties in and around Eastern Avenue. As part of this agreement, the Land Bank purchased the property at 870 Eastern Avenue, and the IDA demolished this property and the abandoned bar at 868 Eastern Avenue. The Land Bank then worked with the Eastern Avenue Neighborhood and the City to develop the Tribute Park concept which creates a neighborhood park on the site of three former lots. The Park also serves as access to Vale Park.

To move this concept forward, the Land Bank will now complete the transfer of 866 and 868 Eastern from the City, however 868 Eastern is owned by SURA. The Land Bank will consolidate the three lots and has plans to implement phase I construction of the park in the fall of 2016 and the balance in 2017 as funding becomes available.

Recommendation:

Accept 866 Eastern Avenue from SURA

Legislation to be prepared by: Steve Strichman

jjp/bs/2/04

Tribute Park Master Plan for Eastern Avenue

Final Report

February 3, 2015



Prepared by:
PLACED: Johnson, LLC
30 Jay Street, Suite 200
Schenectady, New York

Prepared for:
The Land Bank
100 Jay Street, 10th Floor, Room 114
Schenectady, New York



H.R.-1

CITY OF SCHENECTADY
LEGISLATIVE REQUEST FORM

COMMITTEE ASSIGNMENT: *Health & Rec.* DATE: May 2, 2016

TO: City Council

FROM: Jeremy Howard, Director of Property Management

SUBJECT: Request for Authorization to purchase "Sodium Hypochlorite" for the City Swimming Pools

TO BE PLACED ON COUNCIL AGENDA OF May 9, 2016

Background Information:

Each year the City of Schenectady issues a bid for "Sodium Hypochlorite Bulk Liquid Chlorine" for 2016 Pool Season. This chemical is used to treat City Swimming Pools.

Evaluation/Analysis:

A low bid was received on April 20, 2016 from Surpass Chemical Company of Albany, NY in the amount of \$20,208.00. Funds for the purchase of the Sodium Hypochlorite will be charged to the 2016 Operating Budget Code A7115 – 409.

Recommendation:

Authorize the Mayor to issue a purchase order to Surpass Chemical Company in the amount of \$22,208.00.

LEGISLATION WILL BE PREPARED BY: Water Department

JH/pg

BID SUMMARY TABULATION SHEET

BUREAU OF PURCHASE

Received by the COMMITTEE ON BIDS of The City of Schenectady, NY at 10:30 A.M. Daylight Saving Time on the 20th day of April, 2016

Bids for: **SODIUM HYPOCHLORITE BULK LIQUID CHLORINE FOR THE 2015 POOL SEASON**

ITEM No.	PAY ITEM DESCRIPTION	Quantity	UNIT	UNIT PRICE	BIDDER NO. 1 EXTENSION	UNIT PRICE	BIDDER NO. 2 EXTENSION	UNIT PRICE	BIDDER NO. ___ EXTENSION
1	Bulk Liquid Chlorine	24,000	Gallon	\$ 0.842	\$20,208.00	\$ 0.929	\$22,296.00		\$
2	Totes	5	EA		\$		\$		\$
3	Additional Delivery Costs				\$		\$		\$
	Items 1-3 Total Bid Amount				\$		\$		
Bidder	Company Name	Address			Bid Bond		Certified Check		
1	Surpass Chemical Company	PO Box 4165 - Albany - NY - 12204					\$1,010.40		
2	Slack Chemical Company	PO Box 30 - 465 S. Clinton St. - Carthage - NY - 13619					\$1,114.80		
3									

Company Name	Main Contact	Main Contact Phone	Main Contact Email	Address 1	City	State	Zip	Bid Signer	Bid Signer Phone	Bid Signer Email	Account Type	Specification Documents
Amrex Chemical Company Inc.	Susan Bentley	607-772-8784	receivables@amrexchemical.com	117 East Frederick Street	Binghamton	NY	13904	William Rexer	607-772-8784	receivables@amrexchemical.com	E-mail	Date Viewed: 04/06/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Evolution Energy Chemical Company	Michael Slavik	412-946-1371	msslavik@evolutiones.com	3935 Washington Road, Suite #1191	McMurray	PA	15317	Michael Slavik	412-946-1371	msslavik@evolutiones.com	E-mail	Date Viewed: 04/08/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
jtiu	radhe basen	800-761-1001	basenajitu@gmail.com	gondi	vanois	AR	44554	radhe basen	ext:#0	basenajitu@gmail.com	Search Only Access	Date Viewed: 04/11/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Kuehne Chemical Co. Inc.	Kelly Ward	973-589-0700	Bids@kuehnecompany.com	86 North Hackensack Avenue	South Kearny	NJ	7032	Kelly Ward	973-589-0700	Bids@kuehnecompany.com	E-mail	Date Viewed: 04/11/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Leslie's Swimming Pool Supplies	Aaron Sears	602-366-3999	government@lesl.com	3925 East Broadway #100	Phoenix	AZ	85040	Aaron Sears	ext.#3848	government@lesl.com	E-mail	Date Viewed: 04/06/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Main Pool and Chemical Co. Inc.	THOMAS O'MALLEY	570-655-7233	tomavc@aol.com	110 Commerce Road	Dupont	PA	18641	THOMAS O'MALLEY	570-237-5065	tomavc@aol.com	E-mail	Date Viewed: 04/13/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
New Haven Chlor-Alkali LLC.	Arjun Murthy	203-772-3350	a_murthy@hkrevit.com	P.O. Box 9433	New Haven,	CT	6534	Tom Ross	203-772-3350	t_ross@hkrevit.com	E-mail	Date Viewed: 04/15/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
North America Procurement Council, Inc. PBC	Lyra de Asis	302-450-1923	lyra@napc.me	PO Box 40445	Grand Junction	CO	81504	Lyra de Asis	302-450-1923	lyra@napc.me	Search Only Access	Date Viewed: 04/08/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Slack Chemical Co., Inc.	Derek Davis	315-493-0430	slack01@twcny.rr.com	PO Box 30	Carthage	NY	13619	Derek Davis	315-493-0430	slack01@twcny.rr.com	E-mail	Date Viewed: 04/08/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Surpass Chemical Company	Stephen Byrne	518-434-8101	sbyrne@surpasschemical.com	1254 Broadway	Albany	NY	12204	Stephen Byrne	ext:#3132	sbyrne@surpasschemical.com	E-mail	Date Viewed: 04/06/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf
Yourbiz Solutions, Inc.	Doug Bagby	550-925-2458		6351 NW 23rd Street	Oklahoma City	OK	73107	Doug Bagby	550-925-2458		Search Only Access	Date Viewed: 04/06/2016 File: 2016 Sodium Hypochlorite Bulk Liquid Chlorine.pdf

40R-2



**CITY OF SCHENECTADY
COUNCIL COMMITTEE AGENDA REQUEST FORM**

COMMITTEE: Health & Recreation

DATE: 4/27/16

TO: COUNCILMEMBERS

FROM: Councilmember Porterfield

SUBJECT: MMA NYS Assembly Bill 2604--C

Background Information: Based on an email from Commissioner Bennett: to discuss the Combative Sport (MMA) bill passed by the legislature. His concern is that it appears that unless a fee is charged or received by the sponsors of an amateur event, there is no requirement to notify the State Athletic Commission 10 days in advance and no requirement to have the promoter or sponsor abide by the requirements of this law.

Council Discussion Points: To discuss the legal effects of the legislation on Schenectady and whether or not we want to write a local law to control these events for "amateurs" in the city even when no fee is charged or received.

Staff Required: Law; Commissioner Bennett

Legislation Required

Discussion Item

LEGISLATION WILL BE PREPARED BY

P504.3



**CITY OF SCHENECTADY
COUNCIL COMMITTEE AGENDA REQUEST FORM**

COMMITTEE: Health & Recreation

DATE: 4/27/16

TO: COUNCILMEMBERS

FROM: Councilmember Porterfield

SUBJECT: Safe Staffing for Quality Care Act

Background Information: New York State Nurses Association (NYNSA) is addressing the staffing crisis in New York patient care. Nurses are being forced to take on 9, 10, or more patients at once. Bill A08050A was sponsored in the NYS Assembly. Schenectady County passed a supporting resolution in 2015.

Council Discussion Points: To pass a resolution supporting Assembly bill A0850A for passage of safe staffing for quality care care.

Staff Required: N/A

Legislation Required

Discussion Item

LEGISLATION WILL BE PREPARED BY Law



RESOLUTION 33-15

Sponsored by Legislator Jasenski:

A RESOLUTION ENCOURAGING THE NEW YORK STATE LEGISLATURE AND THE GOVERNOR TO APPROVE AND ENACT THE “SAFE STAFFING FOR QUALITY CARE ACT”

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, this Governing Body finds that the number of patients assigned to a nurse has a direct impact on the nurse’s ability to appropriately assess, monitor, care for, and promote the safe discharge of the patients; and

WHEREAS, this Governing Body finds that safe nurse staffing at hospitals saves lives, reduces adverse patient outcomes, and is a cost-effective way to improve patient care and can lead to savings for hospitals and the healthcare system; and

WHEREAS, this Governing Body finds that minimum nurse-to-patient staffing ratios should be established by the New York State Department of Health, and that hospitals should be required to comply with these ratios; and

WHEREAS, Assemblyman Gottfried introduced Assembly Bill Number 1548 and Senator Hannon introduced Senate Bill Number 782, which is entitled “The Safe Staffing for Quality Care Act;” now, therefore be it

RESOLVED, that this Governing Body asks the State Legislature and the Governor to approve Senate bill number 782/Assembly bill number 1548; and be it further

RESOLVED, that that the Clerk of this Legislature is directed to send a certified copy of this resolution to Assemblyman Phil Steck, Assemblyman Angelo Santabarbara, Assemblyman James Tedisco, Senator Hugh T. Farley, Senator George Amedore, the Coalition Co-Leaders of the New York State Senate, Speaker of the New York State Assembly, and the Governor.

3/10/2015: *Reported from Committee on Rules (R9)*
3/10/2015: *Adopted by the County Legislature*

Ayes: 12.9262 (Constantine, Fluman, Gatta, Hughes, Jasenski, Johnson,
McDonald, McGarry, Pascarella, Petta, Ruzzo, Socha, Vellano)
Nays: 0.0000
Absent: 2.0738 (Buhrmaster, Fields)
Abstained: 0.0000
Excused: 0.0000

Resolution 33-15

**STATE OF NEW YORK }
County Legislature }
County of Schenectady }**

I have compared the preceding copy with the original resolution adopted by the Schenectady County Legislature at a meeting held March 10, 2015 on file in this office, and I do HEREBY CERTIFY the same to be a correct transcript there from in the whole of the original.

WITNESS my hand and the seal of the Schenectady County Legislature at the City of Schenectady this 11th day of March, Two Thousand Fifteen.



Geoffrey T. Hall, Clerk,
Schenectady County Legislature

A08580 Summary:

BILL NO A08580A

SAME AS SAME AS S00782

SPONSOR Gunther

COSPNSR Gottfried, Rosenthal, Brindisi, Bronson, Colton, Benedetto, Jaffee, Magnarelli, Markey, Miller, Weprin, Rivera, Ryan, Skartados, Sepulveda, Aubry, Otis, Skoufis, Steck, Mayer, Santabarbara, Zebrowski, Mosley, Ortiz, Titus, Abinanti, Barron, Seawright, Linares, Walker, Bichotte, Richardson, Brabenec, Palumbo, Montesano, Hyndman, Kaminsky, Peoples-Stokes, Pichardo, Joyner, Jean-Pierre, Lentol, Rozic, Harris, Kim, Hevesi, Goldfeder, Nolan, O'Donnell, Dilan

MLTSPNSR Abbate, Arroyo, Brennan, Butler, Cahill, Ceretto, Cook, Crespo, Cusick, Cymbrowitz, Davila, DenDekker, Dinowitz, Englebright, Fahy, Farrell, Glick, Graf, Hooper, Johns, Kearns, Lavine, Lifton, Lupardo, Lupinacci, Magee, McDonough, McKeVitt, Paulin, Perry, Pretlow, Ra, Ramos, Robinson, Russell, Saladino, Simon, Simotas, Solages, Tedisco, Thiele, Titone, Weinstein, Woerner, Wozniak, Wright

Amd Pub Health L, generally

Enacts the "safe staffing for quality care act" to require acute care facilities and nursing homes to implement certain direct-care nurse to patient ratios in all nursing units; sets minimum staffing requirements; requires every such facility to submit a documented staffing plan to the department on an annual basis and upon application for an operating certificate; requires acute care facilities to maintain staffing records during all shifts; authorizes nurses to refuse work assignments if the assignment exceeds the nurse's abilities or if minimum staffing is not present; requires public access to documented staffing plans; imposes civil penalties for violations of such provisions; establishes private right of action for nurses discriminated against for refusing any illegal work assignment.

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PS-1



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

COMMITTEE ASSIGNMENT: Pub Saf. **DATE:** April 28, 2016

TO: COUNCILMEMBERS

FROM: Assistant Chief Michael Seber

SUBJECT: BJA Bullet Proof Vest Partnership Grant

TO BE PLACED ON COUNCIL AGENDA OF: May 2, 2016

Background Information:

The Bullet Proof Vest Partnership (BVP), created by the Bullet Proof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement agencies for the purpose of purchasing bullet proof vest.

The Bureau of Justice Assistance (BJA) has awarded the Schenectady Police Department an award under the Fiscal Year (FY) 2015 Bullet Proof Vest Partnership (BVP) solicitation. The FY 2015 award funds must be used to purchase National Institute of Justice (NIJ) compliant armored vests.

The grant total is \$31,245.19 and requires a 50% match and will be used to purchase approximately 30 vest (25 replacements and 5 new officer vest).

Recommendation:

The Police Department recommends acceptance of the GIVE grant.

PS 11-1



**CITY OF SCHENECTADY
COUNCIL COMMITTEE AGENDA REQUEST FORM**

COMMITTEE:PS&U

DATE: 4/7/2016

TO: COUNCILMEMBERS

FROM: Vince Riggi

SUBJECT: use of polyethylene for service laterals in the city

Background Information:

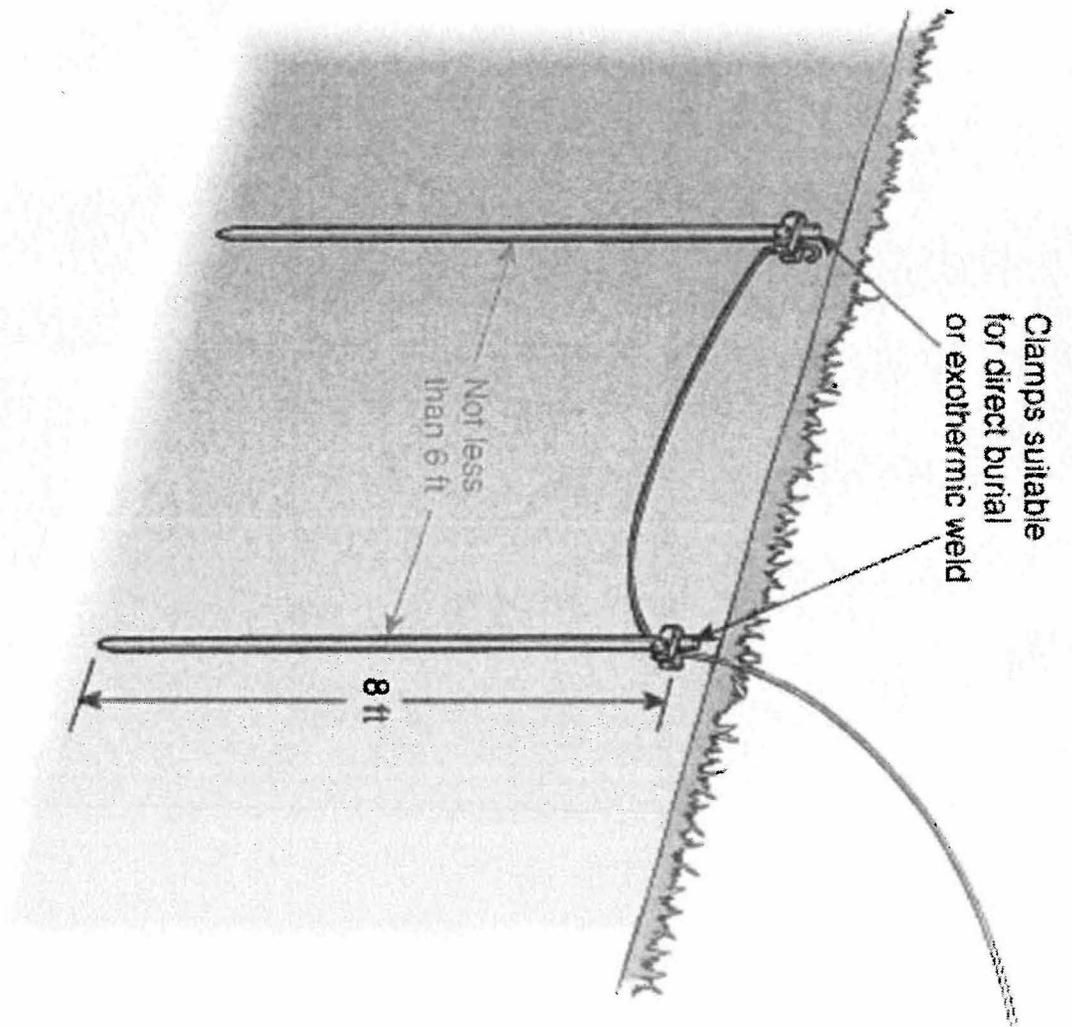
Council Discussion Points: For discussion to see if this can be doable for the city which will in turn save the homeowner considerable material costs. Since this material is used in Rotterdam, Scotia and Niskiyuna it merits discussion from us along with input from the water dept.

Staff Required: Paul Lafond and/or our plumbing inspector*****

Legislation Required

Discussion Item

LEGISLATION WILL BE PREPARED BY



psu-2



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

COMMITTEE ASSIGNMENT: Public Service and Utilities

DATE: May 5, 2016

TO: COUNCIL MEMBERS

FROM: Ryan Bailey

SUBJECT: Final Resolution – Amend Section 151-11 and 228.20.2

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY Law

To be added to City Code Section 151-11 Responsibilities; public convenience; accident protection.

[Amended 8-16-1993 by Ord. No. 93-34; 12-27-2010 by Ord. No. 2010-20]

In the excavation cut or opening of any street or public ground for any purpose, the owner, excavator, public utility or plumber, plumbing contractor or company will be held responsible for the trench they open, and public safety and convenience shall be duly regarded and conserved by the construction of such bridges across open trenches as may be required and, thereafter, placement of amber signal lights, signs and barricades in conspicuous places sufficient for public safety and all other such means of protection as may be necessary must be provided. Barricades shall include the excavator's name and emergency telephone number. Guidelines found in the New York State Department of Transportation Traffic and Safety Division Manual of Uniform Traffic Devices must be adhered to. Any person, company or business entity found not in compliance with this chapter shall be subject to immediate revocation of permit privileges for the job being performed and suspension of all future work privileges until the job is brought into compliance, a stop-work order, recovery of cost of materials, labor and inspection fees at prevailing rates, forfeiture of any permit fee and/or deposit paid.

All permit holders making excavations in any street or public ground must permanently repair excavation sites to the standards and details of the Department of Engineering. All permit holders must guarantee their permanent restoration work for a period of five (5) years from the City's date of acceptance of the permanent restoration. All permit holders are required to completely re-excavate, refill, and repave any permanent restoration work that sinks or buckles for a period of five (5) years following the City's date of acceptance. Upon receiving notification of any permanent restoration work that sinks or buckles the City Engineer, on five (5) days written notice, may require the permit holder to completely re-excavate, refill and repave the excavation site to the standards and details of the Department of Engineering. Where a permit holder fails or refuses to completely re-excavate, refill and repave the excavation site within five (5) days after written notice is sent, the City Engineer may perform such restoration at the expense of the permit holder. In the event of an emergency where permanent restoration work sinks or buckles, the City Engineer may, without notice, effect such restoration at the expense of the permit holder. The Corporation Counsel may institute an appropriate action or proceeding at law against such person, corporation or other entity for recovery of the costs and administrative expenses of such restoration by the City Engineer, plus any penalties prescribed by this chapter and the costs of such action or proceeding.

Within thirty (30) days from project completion, all excavations and areas or disturbance made within a City street or public ground must be repaired or restored to the standards and details of the Department of Engineering. In the event winter weather conditions prevent permanent repair or permanent restoration, all excavations and areas of disturbance must be restored to winter conditions. At the conclusion of winter conditions, permanent restoration must be performed in accordance with the standards and details of the Department of Engineering.

To be added to City Code Section 228-20.2 Right-of-way permission.

[Added 2-11-2002 by Ord. No. 2002-3]

A. No permit to use or open any City right-of-way which would require resurfacing or reconstruction, except for emergency work as determined by the City Engineer, shall be issued to any such person within a five (5) year period after the completion of the construction of any capital project performed by the City relating to such City right-of-way. Notwithstanding the foregoing, the City Engineer may issue a permit to open the City right-of-way within a five (5) year period following the construction of any capital project upon a finding that the need for the work could not have reasonably been anticipated prior to or during the construction of any capital project. In the event a permit is issued to open any City right-of-way within five (5) years following the construction of any capital project, all persons, corporations or other entities completing asphalt restoration within the City right-of-way shall make such restorations or repairs in accordance with the standards and details of the Department of Engineering. The permit holder must guarantee such restorations or repairs for a period of five (5) years from the City's date of acceptance.

AB. Right-of-way permission agreement. The City of Schenectady, by nonexclusive right-of-way permission agreement, may hereafter authorize a provider of fiber optic or similar telecommunications services to enter in or upon the public right-of-way for the purpose of installing, erecting, maintaining or operating fiber optic or other similar telecommunications equipment within or upon the City of Schenectady's public rights-of-way in accordance with the provisions of this section and all other applicable laws or regulations.

BC. Any provider of fiber optic or similar telecommunications services seeking a right-of-way permission agreement shall be required to satisfy the following requirements:

- (1) Initial permit fee: An initial permit fee in the amount of \$50,000 shall be payable to the City of Schenectady in connection with any right-of-way permission agreement. The City shall have the right to accept the installation or provision of services or equipment having an equivalent value, as determined by the Department of Engineering and Public Works, in satisfaction of the initial permit fee. The determination as to whether or not to accept such services/equipment shall be in the sole judgment and discretion of the City.
- (2) Annual permit fee. An annual permit fee equal to the greater 5% of the grantee's gross revenues attributed to facilities located within the City of Schenectady, or \$5,000, shall be paid to the City of Schenectady pursuant to the right-of-way permission/agreement.
- (3) Nonexclusive right-of-way permission: In accordance with a right-of-way permission agreement, the Commissioner of Public Works/City Engineer shall, subject to receipt of all approved maps, drawings or other documents or information as shall be required by the Department of Engineering and Public

Works, issue any necessary contractor permit(s) authorizing the construction, installation, maintenance, location, upgrading, repair, relocation, operation, reconstruction, removal and replacement of grantee's facilities, in the public right-of-way pursuant to the agreement.

- (4) Standard right-of-way permission agreement: In accordance with the requirements of this section, the Commissioner of Public Works/City Engineer may promulgate and adopt any necessary rules and regulations governing the terms of the right-of-way permission agreement for the City of Schenectady.

PSU-3



**CITY OF SCHENECTADY
COUNCIL COMMITTEE AGENDA REQUEST FORM**

COMMITTEE:PS&U

DATE: 4/27/2016

TO: COUNCILMEMBERS

FROM: Vince Riggi

SUBJECT: Discussion concerning taxi rate increase

Background Information: Call from the owner of Electric City Cab Co saying how difficult it is to keep his business open under the present rates, along with some other issues that are controled by the city

Council Discussion Points: There has not been a rate increase in 16 years. I will invite the owner to make a presntation to the council and also have a SPD rep present for questions

Staff Required: Someone from the SPD Traffic division that controls the issuance of medalions

Legislation Required

Discussion Item

LEGISLATION WILL BE PREPARED BY

From: Electric City Taxi/Gateway Transportation

Owner: Gary Derocher 214-4111 home Cell 878 0063

Proposal to modify the Code of the City of Schenectady

§236-43 A

Current rate:

**For the first 1/2 mile, or two minutes of waiting time, or combination thereof:
\$3.50.**

Proposed rate:

**For the first 1/2 mile, or two minutes of waiting time, or combination thereof:
\$4.50.**

§236-43 B

Current rate:

For each subsequent 1/8 mile, or 30 seconds of waiting time, or combination thereof: \$0.25.

Proposed rate:

For each subsequent 1/10 mile, or 20 seconds of waiting time, or combination thereof: \$0.25.

We request that these rate changes go into effect on June 1st 2016. This will allow us to post rate increase notices in the cabs well in advance of the rate changes.

Recently there have been articles in the local newspapers regarding taxi service in Schenectady. Matt Baumgartner, owner of Bombers Burrito Bar, Wolff's Biergarten and Olde English Pub, joined with Vic Christopher, owner of Lucas Confectionery and Peck's Arcade, in writing to the mayors of Albany, Schenectady and Troy. The two described local taxi service as deplorable.

They are asking for Uber to be allowed to come to the Capital District. What they don't know is that there are specific reasons that taxis are not as nice as Uber vehicles. Uber gets \$7.00 just to get in the car and \$3.50 per mile. Of course they can afford better vehicles.

Local Schenectady cabs are regulated at \$3.50 for the first half mile and \$2.00 per mile afterward.

Electric City Taxi started 2 years ago with one cab, and has invested every dollar of profit back into the business growing the fleet to approximately 20 cars. Electric City has now reached a point where upgrading to nicer cars and adding more cars to the fleet to meet the demand of peak usage time periods, is not affordable. We are stuck with the same rates as all the other Schenectady cab companies. Similarly the fleets are all what they are, based on available rates. We have better vehicles in the fleet, but they are used for Medicaid MAS transportation which pays more than double the rates of taxis. MAS is paying enough to allow us to expand and upgrade the vehicles in the fleet. The taxi rates must be raised to allow us the same opportunity to give better service with faster response times than we now provide.

Every dollar that Electric City Taxi makes is spent locally. With Uber, the profits will be sent to the owners who have absolutely no ties to Schenectady. Our hands are tied by the current rates. We need a boost to allow us to grow and upgrade the fleet.

MAS has recently standardized rates for 39 counties in NY State @ \$10 pickup fee and \$2.20 per mile including the first half mile. This is more than double the amount from taxi fares.(See below)

MAS rates

- \$10 charge to get in the seat (pick up fee). \$20 for both ways
- Plus \$2.20 per mile.
- For all of the following counties.

Allegany	<u>Montgomery</u>
Cattaraugus	Ontario
Cayuga	Orleans
Chautauqua	Oswego
Chemung	Otsego
Chenango	<u>Rensselaer</u>
Clinton	<u>Schenectady</u>
Cortland	Schuyler
Delaware	Seneca
Essex	St.Lawrence
Franklin	Steuben
Fulton	Tioga
Genesee	Tompkins
Hamilton	Ulster
Herkimer	Warren
Jefferson	Washington
Lewis	Wayne
Livingston	Yates

Minimum one way trip (less than 1 mile) is \$12.20

Minimum round trip (less than 1 mile each way) is \$24.40

Albany Taxis get a lot more than Schenectady cabs and their vehicles reflect that. We are currently looking to expand into Albany and Saratoga because they pay more. Saratoga MAS pays even more than the other 39 counties. They pay \$11.00 pickup fee and \$2.50 per mile.

We have additional investors looking to join us in growing the business. Decisions on where to grow the company towards will be based on the best likely return on investments.

We have brought nearly 40 jobs to Schenectady and expect to continue to grow.

Schenectady needs affordable taxi service, but we need to make enough to keep the fleet presentable. City residents aren't going to pay Uber \$10 to go 2 blocks to do their laundry, or to get groceries. We provide for these people. We aren't looking to gouge them. We have lots of people who use cabs every day to go to and from work. We work with these people and give them a break on the rates, because it's the right thing to do. Often cabs will take residents to do laundry, taking nearly 30 minutes or more to load the cab up, drive them to the nearest Laundromat and then unload the cab. Often they will be bringing laundry down from the second floor 2 bags at a time while the cab sits and waits for free. For our patience and assistance we get a whopping \$3.50.

Each cab costs over \$800 per month for insurance and general maintenance. We are forced to not have enough vehicles on hand during peak usage hours, because you can't spend thousands of dollars a month keeping extra vehicles sitting the majority of the time, without an increase in the rates.

We aren't looking to get Uber rates, we simply want to provide better service and transport people in nicer vehicles at a reasonable price. We aren't Uber. We are the affordable alternative.

Give us the rate increases and give us 2 years to upgrade and grow, and we will continue to invest into Schenectady, bringing even more jobs.

There has not been a rate increase in over 15 years.

The appearance and quality of service of the fleet, is in the hands of the city council.

April 28, 2016

Honorable Council Members:

I Gary Derocher Jr. am the owner of Electric City Taxi, operated out of 265 Mohawk Ave, Scotia N.Y., county of Schenectady, operating in the city and county of Schenectady. I hereby am proposing the following to the City Ordinance Regulating taxi owners and taxi cabs.

RATE INCREASE:

The current rate for a taxi ride in the City of Schenectady is \$3.50 for the 1st half a mile or fraction thereof, and .25 every 1/8 of a mile. With \$1.00 extra on nights and weekends. This has been the established rate since June 13, 2001. A comparable ride in the City of Albany starts at 6.25 I am proposing that this rate be increased to a minimum of \$4.00 for the 1st half mile. Increase to take effect on 9/1/16, this will give the public time to be made aware of rate increase.

The cost of a Medallion to operate in the City of Schenectady in 2001 was \$100 per car, with a \$25 meter test fee. The current cost is \$250 per car, with a \$25 meter test fee. I currently have 16 cars that have medallions to operate in the City.

MEDALLION FREEZE:

I am proposing that no new companies be allowed in and purchase medallions, as you will get many 1 and 2 car companies. The only way to get a medallion would be to purchase a company going out of business and then expand from there, as the market is becoming saturated. This is the current policy in the City of Albany.

I propose that the medallions become frozen when 65 are given out by the city.

I propose that this become effective by 6/1/16, as the new medallion year begins on 5/1/16, this will give all current operators enough time to make sure that they are in compliance.

RANDOM INSPECTIONS:

The current city ordinance states that anyone operating in the City of Schenectady must have:

- An office in the County of Schenectady
- Be open 24 hours a day

We are proposing that a random on site check be made on the current companies to see that they are in compliance. With the advent of a cell phone, a phone check at 2am does not really mean that this company is open because they can always answer the phone, but not really be “running”.

It is almost physically impossible for a 1 or 2 car company be in compliance with a 24 hour operational policy.

I Currently employ 40 people. With the proposed rate increase, and the freeze on medallions, I will be able to grow my business more and employ more people. This will also allow me to invest more into my business, to purchase more vehicles, and to keep up with their appearance. To provide a higher standard of service as the city itself strives to upgrade their appearance and attract more businesses.

Thank you for your time

Gary W Derocher



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT: Government Operations
DATE: 05/02/2016**

TO: COUNCILMEMBERS

FROM: John Mootooveren

SUBJECT: Final Review - Waiver of Building Permit Fee

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY _____

To amend the City Code Section §138-21. Fees.

~~B. The fee for application for issuance of a building permit is:~~

B. The fee for application for issuance of a building permit will be determined by resolution of the Schenectady City Council.



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

COMMITTEE ASSIGNMENT: Government Operations
DATE: 05/02/2016

TO: COUNCILMEMBERS

FROM: John Polimeni

SUBJECT: Final Review - Real Property Tax Exemptions

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY _____

To be added to City Code Section §234-23 Exemption granted.

Residential buildings reconstructed, altered or improved with proper building permits and inspection subsequent to the effective date of this article shall be exempt from taxation and special ad valorem levies but shall be limited to twenty-five thousand dollars in increased market value, or such other sum less than twenty-five thousand dollars, but not less than five thousand dollars, of the property attributable to such reconstruction, alteration, or improvement and any increase in market value greater than such amount shall not be eligible for the exemption.



**CITY OF SCHENECTADY
LEGISLATION REQUEST FORM**

COMMITTEE ASSIGNMENT: Government Operations

DATE: 05/02/2016

TO: COUNCILMEMBERS

FROM: Leesa Perazzo

SUBJECT: Review - Amending City Code Regarding Nuisances Properties

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY _____

Article IV- Residential Property Nuisances

183-15 Legislative Findings

- A. Declaration of legislative findings.
 - 1. The City of Schenectady, like all municipalities, is home to owner-occupants and citizens who rent properties.
 - 2. The vast majority of Schenectady's landlords do their best to keep their properties in good condition for their tenants and want to make Schenectady a nice place to live.
 - 3. The City of Schenectady may be able to help landlords further those goals by notifying landlords of nuisances which occur on their property.
- B. All previous definitions and point values used in this chapter shall be applied to this subsection.
- C. Residential Property Nuisance Defined. Residential property nuisances defined. For purposes of this section, a residential public nuisance shall be deemed to exist whenever through violations of any of the following provisions resulting from separate incidents at a building, erection or place, 12 or more points are accumulated within a period of 3 months, or 18 or more points within a period of 6 months, in accordance with the following point system. Where more than one violation occurs during a single incident, the total points for the incident shall be the highest point value assigned to any single violation.
- D. Residential property defined. For the purposes of this subsection any property with a rental unit located on it, which is meant to be rented for residential purposes, shall be considered residential property, regardless of what type of zoning the property is subject to.
- E. Abatement. For the purposes of this chapter, "abatement" shall mean a concerted effort by a person with an interest the property to severely diminish or eliminate the activity or activities constituting the nuisance found to exist at or within the premises. Abatement may include, by way of example and not exclusion: hiring of security personnel, lighting changes, video or audio monitoring equipment, signage, cooperation with police and other enforcement agencies, bureaus, departments and authorities, eviction or court action.
- F. For purposes of this section, a conviction for an offense in a court of competent jurisdiction or an administrative bureau shall not be required. Instead, the city shall prove by a preponderance of the evidence that the violations have occurred. However, a conviction, as defined and applied in accordance with the provisions of § 1.20 of the Criminal Procedure Law, in any court of competent jurisdiction, or a written acknowledgment of violation in a civil compromise proceeding in the Bureau of Consumer Protection, shall constitute conclusive proof of a violation. Conviction of an attempt to commit a violation of any of the specified provisions shall be considered a conviction for a violation of the specified provision.

183-16 Additional Powers of the Mayor with Respect to Residential Property Nuisances

- A. In addition to the powers granted to the Mayor in the other subsections of this chapter, a warning letter may be sent to a property owner, owners, or people with control over the property after half of the points required to declare it a residential public nuisance have accumulated during the relevant timeframe.

- B. Once a property accumulates the points as described in 183-15(c), a person or persons who owns or controls the property may be required to attend a meeting with the Mayor or his or her designee to discuss the nuisances and the abatement plan.
- C. In addition to any other criteria determined by the Mayor, any property subject to this chapter which causes three or more legitimate complaints to be made to the Police Department over a period of 30 days will be reviewed by City staff.

183-17 Assistance Provided by the City

- A. If a property owner has problems with a tenant which they believe the City can help with, they may request a meeting with the Corporation Counsel in order to see how the City may assist with their issue.
- B. Any assistance which the Corporation Counsel believes is appropriate may be provided, including but not limited to support with the eviction process and facilitating inspections by City staff.