

**MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE SCHENECTADY CITY COUNCIL**

March 28, 2016

The City Council Meeting was called to order by the City Council President Leesa Perazzo at 7:03 p.m. in Room 209, City Council Chambers at City Hall.

Ms. Perazzo asked for a moment of silence in lieu of the invocation.

Ms. Perazzo then called on Richard Unger to lead the Pledge of Allegiance.

The City Clerk called the roll and the following members of the City Council answered to be present:

Present – Council members, Edward Kosiur, John Ferrari , John Mootoveren, Leesa Perazzo, John Polimeni, Marion Porterfield, and Vincent Riggi

Also Present – City Clerk Charles Thorne, Corporation Counsel Carl Falotico and Mayor Gary R. McCarthy

At this point, Ms. Perazzo asked if there were no objections, she would like to take agenda item number 7 out of order. There were no objections.

Resolution No. 2016-066 – A Resolution Recognizing the Rededication of St. Anthony's Church. Representatives including Father Carlino were on hand from St. Anthony's Church and they extended their gratitude for the recognition by the Mayor and City Council.

The resolution was moved by Mr. Riggi and seconded by Ms. Porterfield. The resolution passed unanimously.

At this point, Ms. Perazzo invited Katherine Wolfram, from the Electric City Food Coop to present on healthy foods and efforts underway to open a coop in downtown Schenectady.

PUBLIC HEARINGS:

None

APPROVAL OF MINUTES:

Ms. Perazzo asked for a motion to approve the minutes from the March 14, 2016 Council meeting as submitted by the Deputy City Clerk; Mr. Riggi made a motion to approve the minutes, Mr. Ferrari seconded the motion.

Communications Presented to the City Council for Monday, March 28, 2016

Official:

From the Mayor a list of appointments dated March 28, 2016

A letter from Chris Wallin, City Engineer recommending the contract award of police station fencing to AFSACO Fence & Supply Co. Inc.

General:

None

Petitions:

None

COMMITTEE REPORTS

None

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)

Ms. Perazzo invited all who wished to address the Legislative Agenda to come forward:

Jason Planck, Schenectady - Noted the 508 Union Street property sale scenario is a best value property. He noted the Council needs to be objective in making the 508 Union Street property sale decision. He noted the lower bidder who also reports plans for a lower investment may have staff who can provide the labor. He gave the example of \$50,000 worth of labor which was not included in the purchase offer. He noted the Council is trying to compare bids but added it's not apples to apples. He then noted the Council met in executive session and they don't know what contractor is planning to spend the budgeted money on. He added you could take a seasoned developer and spend half the money. Regarding affirmative action, he noted best value practices are subjective. He noted there was no empirical data which he said goes back to the lack of a purchasing policy procedure.

Mary McClaine, Schenectady - "Agenda item #3 - Schenectady taxpayers don't owe Mr. Rush anything. Altruism didn't bring him to the City. He will receive his rewards from the slot machines, poker tables and roulette wheels. Upstate New Yorkers voted against the casinos for New York State. The Schenectady Council members voted to have one put in our city and the jury is still out as to its consequences. It certainly will produce a new class of white collar criminals when the workers start stealing from the house. The lure of money drove a volunteer to steal from Safyer's Christmas cards. Imagine how great the temptation will be for people who hold money in their hands at work every day. You don't think it will happen? Think again. At the first casino public hearing those of us who spoke against it were criticized for bringing up the issue of prostitution. It's real. I saw it happen while waiting for family to pick me up on casino property in Atlantic City. The women work the streets and all those G.E. workers who have assignments at the Nevada proving grounds in Las Vegas were always approached by the ladies of the evening. As the men returned to their hotels. Now the bebies will be in the company's back yard. Furthermore it is a dereliction of duty for City Council to hold a public hearing regarding the naming of streets and have the Council president say the Gazette survey should determine the outcome for their vote. Democrats you have an abysmal voting record. Tonight's votes will be no different."

Tony Buonome, Schenectady - Noted he is against item #3 and that he will not go into his family history related to employment history at the old ALCO site. He noted this is terrible. He added, if people say they want to go forward not backwards then they should take down the statue of Edison and Steinmetz and put up a statue of Rush, he added. He closed by noting the developers are investing in the City to money.

P.D. Voorhis, Schenectady - Noted she has no objection to Rush Street and added Benjamin Rush was one of the signers of the Declaration of Independence. She added she is grateful to Mr. and Mrs. Rush for all their volunteer hours. She noted Mr. Rush has been on the planning commission for years and his wife has served the community for many years. She closed by blessing the Rush developers and noted judicial activism is unconstitutional.

David Giacalone, Schenectady - Noted naming the street is not trivial, adding the location has important historical value. He noted if Rush Street was never raised as an option, it would not have occurred to vested parties. He noted it does not make sense for this city to embrace rush as a name. He noted the word "rush" has to deal with drug use and its effects. He added it can be used in reference to a

deadline. He noted nobody knows what Rush Street is in Chicago. He then noted Benjamin Rush was a founding father and lead a movement to ban gaming in America. He noted he would turn over in his grave with what is happening. He added Benjamin Rush was also a psychiatrist who believed black people had a form of leprosy and if they took a pill they could become white. He noted, let's not name the street after Benjamin Rush. He asked, what have the developers done to deserve it. He added, maybe Mr. Galesi deserves a street named after him. He closed by noting someday they may earn the right, but for now the City should honor the past.

Peter Della Ratta, Schenectady - Noted that he is an attorney representing Mark Swanson who submitted a bid for the purchase of 508 Union Street from the City. He noted he introduced Mark to invest in the City. Since that time he noted Mark has made investments in the City and plans to make further investments. He noted Mark was the highest bidder and the sale of the property to Mark by the City would generate more tax revenue for the City. He closed by advocating for fairness and noted leadership is built from high moral fiber.

Constance Ostrowski, Niskayuna - Noted she is originally from Schenectady and referenced the ongoing decision on the street names. She noted she hopes and prays the City does not follow historical tendency. She gave the example of General Electric and the sense that GE became an overlord. She noted she has followed this throughout her lifetime. She noted having municipal governments question names of proposed streets is a fantastic democratic act. She noted the echo of fear to question developers is wrong. She asked the Council to follow the wishes of the residents including emails and phone calls. She noted it's no surprise the Executive Director of the Downtown Schenectady Improvement Corporation, President of the Chamber of Commerce, County Legislator Gary Hughes and the Chief Operator of Galesi Group are in favor of Rush getting its way. She noted Rush should not be the City overlord, nor should Galesi Group. She noted not all of the citizens are in favor of the casino. She added that she hopes the casino is successful with no negative effects. She closed by adding the new development should not be used to hide the contributions of those who came before us.

Seeing no other speakers come forward, Ms. Perazzo declared the Privilege of the Floor on the Legislative Agenda closed.

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

Mr. Kosiur made a motion that Council approves the Consent Agenda and the motion was seconded by Mr. Ferrari.

Consent Agenda –

- Ordinance No. 2016 – 06.....Adopted Unanimously
- Resolution No. 2016 – 67Adopted Unanimously
- Resolution No. 2016 – 68Adopted Unanimously
- Resolution No. 2016 – 69Adopted Unanimously
- Resolution No. 2016 – 70Adopted Unanimously
- Resolution No. 2016 – CS - 07Adopted Unanimously

A Resolution Accepting the Proposed Street Names for Mohawk Harbor. 2016-71

The motion was moved by Mr. Polimeni and seconded by Mr. Mootoveren

5:2:0

Voting AYE: Kosiur, Ferrari, Mootoveren, Perazzo & Polimeni

Voting NAY: Porterfield, Riggi

Mr. Kosiur - Noted the jury is out on the one million square feet of construction planned for the brown site that sat idle for 20 years. He added there is a million dollar paycheck coming to the City which will help to offset property taxes which is the biggest concern of city residents. He noted the harbor development is a \$480 million dollar investment with 1,200 new jobs coming to the City. He asked what other region has this tremendous of a project in their backyard. He noted the Schenectady team worked hard on this proposal. He added the development will benefit our taxpayers with a 10 percent decrease in taxes following an additional 3.5 million dollars coming to the City. He noted the developers need the street name to move the project forward. He noted GE has its own zip code. He closed by welcoming the Galesi Group and the Rush Street name to the City.

Ms. Porterfield - Noted she agrees with comments made related to the amount of investment made by the developer and the impact this will have on taxes. She noted there will be a return on their investment. She added any community would have received similar benefits based on the casino project award. She noted the naming of the street is important to some residents and not a trivial matter. Noted its commendable that Rush Street in Chicago has its own name sake but noted Rush Street does not mean anything to the City of Schenectady. She noted the historic ALCO display within the planned development is a nice gesture, but not everyone will see it. She added everyone will see a street name. She closed by noting this is an opportunity at the onset of the development to name the street based on the historic nature of the site.

Mr. Polimeni - Noted he has heard from many residents and has maintained a tally. He noted residents who have contact him are largely 2 to 1 in favor of Rush Street. He added he listened to the residents. He then noted, at a time when the City is trying to bring in development, we are talking about government intrusion. He noted this is an opportunity to get out of the way and help to secure other development and interest in the City.

Mr. Riggi - Noted he agrees the street name issue is not trivial. He noted there are times when government is meant to get in the way and that is why he was elected to represent the resident and not the developers. He noted he was asking for an alternative street name. He noted it's all or nothing. He added Rush Street is not going to mean anything other than the name of the casino. He noted he was looking for at least one concession. He noted Benjamin Rush had some strange ideas including blood-letting. He noted he stands strongly opposed to the street name and that there should have been an alternative provided. He closed by noting deep pockets are getting what they want.

Mr. Mootoveren - Noted this is a \$480 million dollar investment in Schenectady. He asked what message are we sending the developers. He added we need to give incentives to developers. He noted as someone else had put it, we are acting like kindergarten kids. We should give incentives to developers to help decrease taxes.

Regarding Item #4 - Mrs. Perazzo called on Corporation Council Carl Falotico to provide a point of clarification regarding the sale of City owned property. "When the City acquires a property by way of tax foreclosure, the Council and Mayor have a great deal of latitude with the process they use to sell it. In this case the property was listed with a realtor and multiple offers came in. The offers do not have to be evaluated strictly by the highest price, other factors can be used in the determination of who to ultimately sell to".

A Resolution Authorizing the Sale of 508 Union Street. 2016-72

The motion was moved by Mr. Kosiur and seconded by Mr. Ferrari.

6:0:1

Voting AYE: Kosiur, Ferrari, Mootoveren, Perazzo, Polimeni & Porterfield

Voting NAY: None

Abstained: Riggi

Mr. Riggi - Noted he wants to bring the process of selling city owned properties forward for review. He noted the process is subjective and he is aware the Council does not need to award to the highest bidder. He added maybe the City should consider auctioning properties that have significance interest. He noted the process must be iron clad so that it can't be over turned. He added the City should stand behind the process and that timelines should be held to. He closed by noting he would like to see some changes and would be abstaining from the vote.

PRIVILEGE OF THE FLOOR:

Ms. Perazzo then invited all who wished to address the City Council on any matter of city business to come forward. The following speakers rose to be heard and their remarks are summarized:

Joe Rodriguez, Schenectady – Noted he spoke with Council President Perazzo previously regarding concerns he has related to cabs in the City. He suggested setting up a commission to control cabs. He noted how dangerous and dirty they are. He added the drivers are cutting people off while driving around the City. He noted they have customers remove their own items out of the vehicle and the driver is not helping the passenger. He added that he is an experienced cab driver, having worked in the field for several decades. He noted his main concerns are regarding safety. He then noted another item in reference to the local police officer who was arrested over the weekend. He noted previous interactions with this officer, that he was treated with respect by this officer. He closed by noting he hopes the police officer will get a second chance.

Chris Morris, Schenectady – Noted she is the president SLIC (Schenectady Landlords Influencing Change). She added SLIC started in the fall of 2011 when property owners came together and created SLIC. She noted 4-5 years later the group is continuing to focus on their original mission. She noted SLIC hosts monthly meetings and provides workshops and presentations for landlords. She then encouraged landlords to avail themselves of the knowledge and support offered by SLIC. She also encouraged landlords to screen tenants, provide detailed lists, monitor maintenance and to follow proper legal procedures. She noted the lead safety housing program offered by the City is commendable. She noted funding is available to address lead in homes. She made special note of the recent City efforts to reinstate the Housing Standard Review Board. She noted the board consists of five members but there are two vacancies at this time. She noted the open seats are for an architect and engineer to be appointed by the Mayor. She noted the board has been fine-tuning goals and will provide more details at the next SLIC meeting on April 6 at 6:30 p.m. at the Trinity Lutheran Church, 35 Furman Street in Schenectady.

Marion Goodrich, Schenectady – Noted she is a property owner in Schenectady and a member of SLIC. She noted it's a disturbing fact that Schenectady taxes are the highest in the region. She believes property assessments are too high and not aligned with comparables. She added each year the City offers a tax grievance process for property owners to grieve their assessments. She noted De Lorenzo Law Firm will be assisting homeowner with a free eligibility screening. She invited homeowners who are looking for financial relief to apply. She added she has successfully grieved her assessment and noted it can have a positive impact on those burdened with high taxes. She noted lower assessments and taxes will encourage residence to remain in the City and will help realtors move properties. She closed by noting additional information is available at grievanceday.com or by calling 441-0508.

Jason Planck, Schenectady – Noted the report on City Development Block Grant allocation are coming out next week. He noted he hopes the City Council will review items. He added he hopes the focus will be on jobs and how to move forward with affirmative action in the City. He noted the

Affirmative Action Advisory Board met last wk. He asked if the City pays someone \$60,000 a year, plus benefits and office space that adds up \$100,000 a year. He added for another \$50,000 the City could have a full time Affirmative Action Officer. He noted this is a cost-benefit analysis. He noted the City is supposed to have a full time Affirmative Action Officer. He then noted Council member Polimeni is talking about streets and sidewalk repairs which would cost the City \$20 to \$30 million dollars. He added curb cuts would be needed for the disabled. He also noted concerns with improvements taking place in City parks without addressing issues of access for persons with disabilities. He noted there are major infrastructure issues which need to be addressed in the City. He closed by noting congratulations to the City on its new website and criticized staff for not making the website ADA compliant.

Joy Hall, Schenectady - Noted concerns and problem with traffic in the City. She noted people are driving the wrong way, on one way streets. She noted drivers should go around the block and not make a u-turn. She said the City needs to fix up the curbs and sidewalks because people are getting hurt and falling down. She closed by asking the Council to do something about this.

Marva Isaacs, Schenectady - Referenced police officer Aaron and asked why was he running away from his own officers? She added for many years she has heard City Council member Riggi talk about zero tolerance and she said that should go for everybody.

Mary McClaine, Schenectady - "Regarding a PILOT for Union College. Three years ago, eight people stood at this podium and told Council not to vote for an eight year contract with the county that would lock in limited funds for the City for that length of time. The county legislator who told Council at the last public hearing that Mr. Rush earned the right to have a street named in his honor because the county will receive \$2.5 million dollars from his casino investment is the same Mr. Hughes who told City Council to accept the county's good eight year deal. Because Council listened to their buddy from the county and voted for the contract Schenectady taxpayers will not receive any extra money from the county's \$2.5 million dollar windfall even though we paid \$700,000 to repair Erie Blvd, the gateway to the casino and the county didn't pay anything for it. All City officials who voted for the eight year contract should be sued for malfeasance. They did something they should not have done. The Mayor was one of the Council members who voted for the eight year contract. In the mean time, he sold the Mayor's car and kept 35 cars for City employees to drive home. Other cities don't do that. He keeps the seniority system in the PBA contract. The system is costly to the taxpayers and discriminates against the rookie policemen. His annual budget spends more than \$15 million dollars on employee pensions and medical coverage for City workers and yet blames Union College for the City's financial shortfall. Union College took a section of town and made it perfection. City officials don't know what perfection means. The press reported the City wants to honor the military again this year like last year. When a group is honored, the focus is on them. That is not what the City did last year. The military pictures were mixed with scenes from the theater, ballet, advertising for City business and anything else you could get your hands on, to hang from the light poles. Schenectady's City officials bluff their way through life."

Suzanne Unger, Schenectady - Noted she is a representative of the Stockade Neighborhood Association. She added she lives on Union Street. She thanked Council President Perazzo and Council member Polimeni for attending their most recent meeting. She noted members appreciated the back and forth and added the association is looking forward to working with the Council. She added their focus has been on pedestrian safety and lighting improvement. She added the neighborhood has concerns about the future Mohawk Harbor project and its impact on the neighborhood. She added the mitigation strategy is not in the final plan. She noted the new City website does a nice job promoting the Stockade. She added their goal is to ensure visitors have a safe experience in the Stockade and they are looking to maintain open communication with the City moving forward.

Donnie Birch, Schenectady - Noted he owes some of the City Council an apology for calling some of them "bums". He noted Council member Riggi has good intentions. He added he can see

through everyone else. He then noted he was interrupted and he wants his time back due to the interruption. He added he is being hauled off to court and not being arraigned. He asked if this is N. Korea? He noted anyone is welcome to review the transcripts. He noted others being arraigned were being let out despite there being evidence. He noted he did not want to give up his phone and added once he did it would be tampered with. He noted he won't waive his rights related to his court related matters. He noted it's unfair that he is being saddled with a \$100,000 bound and that he is a victim. He closed by noting he will sue the City.

P.D. Voorhis, Schenectady - She extended her congrats on to the City for make Monday a destination and added the attendance is intriguing. She then noted concerns related to chaplains and whether they should have a license or not. She noted it's similar to green market vendors who are required to have permits. She then noted concerns about people who serve on the planning commission. She reported she went to Metroplex related to a submission for municipal money. She added that she thought \$10,000 would be sufficient for a municipal bond but was told she could not because the minimum was for \$100,000. She reported she later found out she needed to be a group and that individuals alone could not apply. She noted there was a group that formed a C-Corp and had \$100,000. She advised others not to turn this stuff into hate language. She closed by noting one time there was a racket in the City and that Mayor Campbell was involved.

David Giacalone, Schenectady - Noted the City Engineer has let it be known that the way to repair sidewalks is to cut down the trees. He noted there is no better way to drop the value of properties than by cutting down trees. He added this is true in historic districts as well. He noted smart cities know trees are too valuable to cut down. He added he would rather deal with broken sidewalks than taking down mature trees. He noted a member of the engineering staff told him the new trees will mature to the height of the current trees within five to 10 years. He added there was a Gazette article on the topic and he noted former Council member Blanchard focused on saving the trees during her tenure.

Seeing no other speakers come before the City Council, Ms. Perazzo declared the Privilege of the floor closed regarding City Business.

MISCELLANEOUS BUSINESS OF THE COUNCIL

Mr. Kosiur – Noted summer youth employment program is gearing up for another season. He added applications are now available for City youth ages 14-18. He noted interested parties can pick up applications at City Hall and online at the Schenectady County website. He noted the deadline for applications is April 22. He said he can be contacted at 386-2210 or on Facebook with questions. He then encourage city youth to apply for the planned 350-500 jobs which will be available this summer. He later referenced the sales tax agreement between the City and County of Schenectady. He added the City of Schenectady is benefiting from growth in sales tax revenue and there is a history of revenues being flat.

Ms. Porterfield - Noted the deadline to turn in taxes is on April 15. She added VITA provides free tax preparation for those who are income qualified. She noted there are several locations and to schedule an appointment or if residents have questions they can call 211 for information. She closed by noting the tax filings are completed by certified tax preparers.

Mayor McCarthy - Noted he will be participating in a ceremony opening up the Schenectady Municipal Golf course on March 29. He added the official opening of the golf course will be on March 30. He noted Titlist donated golf balls for a raffle and proceeds will benefit the Red Cross disaster relief fund. He then noted Schenectady is the recipient of the Conference of Mayors MHA and finance literacy award. He noted the program assists community individuals with money management. Regarding the City and County sales tax agreement he noted there's

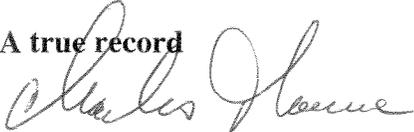
misinformation being spread by earlier speakers. He noted the City does not use preemptive right to impose tax. However, he noted Saratoga Springs does. In a comparison between Schenectady and Saratoga, Schenectady is getting \$12 million on a smaller base even though Saratoga has high retail sales. He added the City and County sales tax agreement is a good deal for Schenectady. He added it is complicated and it's unfortunate when people distort the facts. He closed by noting he appreciates the ongoing partnership with the City Council.

Ms. Perazzo – Noted the new City website is comprehensive, easy to navigate and provides a wealth of information. She asked residents to be patience while City residents continue to work out the kinks. She then extended her congratulations to St. Anthony's. She noted a lot of hard work went into the celebration planned for Sunday, April 3. She noted she attended the Run for your Life event hosted by the Schenectady Fire Department which took place in Central Park and hosted 600 runners. She then noted Jacks Place is hosting a benefit dinner on April 8 and 9 at St. Anthony's from 5:00 p.m. to 8:00 p.m. She noted children's tickets are \$8 and adults are \$12.00. She encouraged residents to support the cause. She closed by extending her sympathy to the family and loved ones of Steve Garbe who passed away suddenly. She noted he was the Senior Water Treatment Operator and died at the age of 49.

Adjourned:

Seeing no further business to come before the City Council, Ms. Perazzo asked for a motion to adjourn the meeting. The motion was moved by Mr. Ferrari and seconded by Mr. Mootoveren. The meeting was adjourned at 8:47 p.m.

A true record



By Charles Thorne

Schenectady City Clerk