

**MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE SCHENECTADY CITY COUNCIL
June 12, 2023**

The City Council meeting was called to order by the City Council President Marion Porterfield at 7:00 P.M. in room 209, City Council chambers at City Hall.

At this time, Ms. Porterfield held a moment of silence, and invited everyone to use the moment to reflect on their beliefs - whatever they may be.

Ms. Porterfield then called on City Clerk Samanta R. Mykoo to lead the pledge of allegiance.

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

Present - Councilmembers: John Mootoveren, Doreen Ditoro, Damonni Farley, Carl Williams, Carmel Patrick, John Polimeni, and Marion Porterfield

Also Present - Mayor Gary R. McCarthy, City Clerk Samanta R. Mykoo, and Corporation Counsel Andrew B. Koldin, Esq.

At this point, Ms. Porterfield asked if there were no obligations, she would like to take agenda item twelve out of order. There were no objections.

Resolution 2023-111 Commemorating June 14th as Flag Day

The Resolution was presented and moved by Ms. Patrick and seconded by Mr. Mootoveren. The resolution passed unanimously.

The resolution was accepted Jesus Santiago, Director of Veterans Affairs for Schenectady County. He thanked the Mayor and City Council for their recognition and urged everyone to reach out to his organization if they know a Veteran in need.

APPROVAL OF MINUTES:

Ms. Porterfield asked for a motion to approve the minutes from the May 22, 2023 council meeting as submitted by the City Clerk. Mr. Williams made a motion to approve the minutes and Mr. Mootoveren seconded the motion.

COMMUNICATIONS PRESENTED TO THE CITY COUNCIL

Official:

None.

General:

From Mark Baker, an email explaining the health hazard from the radiation of LED street lights.

Petitions:

None.

PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS):

Ms. Porterfield invited all who wished to address the Legislative Agenda to come forward or otherwise submit their comments to the City Clerk:

Seeing no speakers come forward, Ms. Porterfield declared the Privilege of the Floor regarding Legislative Items, to be closed.

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

Ms. Porterfield made a motion that the Council approves the Consent Agenda, the motion was moved by Mr. Mootoveren and seconded by Ms. Patrick.

Consent Agenda

- Resolution No. 2023-10..... Adopted Unanimously
- Resolution No. 2023-111.....Adopted Unanimously
- Resolution No. 2023-112.....Adopted Unanimously
- Resolution No. 2023-113.....Adopted Unanimously
- Resolution No. 2023-114.....Adopted Unanimously
- Resolution No. 2023-115.....Adopted Unanimously
- Resolution No. 2023-116.....Adopted Unanimously
- Resolution No. 2023-117.....Adopted Unanimously
- Resolution No. 2023-118..... Adopted Unanimously
- Resolution No. 2023-119.....Adopted Unanimously
- Resolution No. 2023-120.....Adopted Unanimously
- Resolution No. 2023-121.....Adopted Unanimously
- Resolution No. 2023-122.....Adopted Unanimously\
- Resolution No. 2023-123..... Adopted Unanimously
- Resolution No. 2023-124.....Adopted Unanimously
- Resolution No. 2023-CS-11.....Adopted Unanimously
- Resolution No. 2023-CS-12.....Adopted Unanimously
- Resolution No. 2023-CS-13.....Adopted Unanimously
- Resolution No. 2023-CS-14..... Adopted Unanimously

PRIVILEGE OF THE FLOOR:

Ms. Porterfield directed all who wished to discuss any items for City Business to come forward or otherwise submit their comments to the City Clerk.

Kathy Sullivan – Voiced frustrations had with her home address not being registered in the city but in the Town of Rotterdam, and difficulties she has had with city officials trying to have the issue resolved.

Wayne Harper – Announced that he will be picketing at the Albany VA Hospital and invited all Veterans to wish to participate to contact him. Also read an anonymous letter he received he received in the mail.

Ed Laven, Jr. – Informed City Council that he has filed an ethics complaint against the Mayor and City Council regarding his right to due process and a fair court hearing.

Mark LaCroix – Speaking on behalf of his mother, says their home is being foreclosed due to unpaid taxes but they were not notified beforehand. Claims their family has experienced significant financial hardship since the pandemic and pleads with the city to release the property so it can be sold, and the taxes can be paid.

Seeing no other speakers come forward, Ms. Porterfield declared the Privilege of the Floor regarding City Business to be closed.

MISCELLANEOUS BUSINESS OF THE COUNCIL:

Carl Williams – Thanked everyone for coming out and voicing their concerns. Addressed comments made about Council President Marion Porterfield and City Clerk Samanta R. Mykoo at a previous City Council meeting. Also informed all prospective homeowners of the Summit Avenue Redevelopment Project, congratulated newly recruited officers of the Schenectady Police Department, and acknowledged organizers of Schenectady High School Prom.

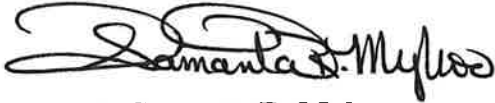
Mayor McCarthy – Thanked everyone for coming out and speaking and congratulated students of Schenectady High School. Also addressed what he believes is the process of adopting home rule legislation.

Marion Porterfield – Followed-up on discussion regarding the process of adopting home rule legislation and stated that the legislations did receive bill numbers, then answered questions she had received regarding speed humps in the city.

Adjourned:

Seeing no further business to come before the City Council, Ms. Porterfield asked for a motion to adjourn the meeting. The motion was moved by Mr. Williams and seconded by Mr. Mootoveren. The meeting was adjourned at 7:40 p.m.

A true record

A handwritten signature in black ink, appearing to read "Samanta R. Mykoo". The signature is fluid and cursive, with a large initial "S" and "M".

**By Samanta R. Mykoo
Schenectady City Clerk**

Samanta R. Mykoo

From: Mark Baker [REDACTED]
Sent: Friday, June 09, 2023 12:56 AM
To: Samanta R. Mykoo
Subject: Re: LED Street Lights

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town Clerk, Schenectady, New York,

The attached letter is a public comment. Please share with the city council and staff.

LED visible radiation is a human health hazard. LEDs are not point sources of light, but rather emit a directed energy beam of spatially non-uniform light from a flat surface. The FDA failed to comply with the Congressional mandate to publish performance standards for LED products to ensure the comfort, health, and safety of the public. The FDA has failed to publish restrictions for peak luminance, spatial uniformity, inverse square law dispersion, spectral power distribution, and square wave flicker. LED visible radiation devices have been documented to cause seizures, migraines, panic attacks, eye pain, and eye injury, in addition to the health impacts caused by light pollution such as increased risk of thyroid, breast, and prostate cancer, obesity, heart disease, mood disorders, and early mortality. LED visible radiation creates discriminatory barriers that prevent equal access. Because of the documented hazards to human health and well being and lack of FDA regulation, there is no legal basis for using any LED product, and the sale, installation, or operation of an LED product creates a liability.

LED lights are not energy efficient as compared to incandescent or HPS, as falsely claimed by the Department of Energy and the LED lighting industry. As per the DOE, "*Energy efficiency is the use of less energy to perform the same task or produce the same result.*" Since LEDs emit an entirely different type of visible radiation and do not provide uniform illumination or produce the same result, LED light sources cannot be energy efficient as compared to point source emitters. LED products emit a hazardous, low-quality light, not an energy-efficient light.

The Soft Lights Foundation has submitted multiple federal regulatory petitions to request compliance by federal agencies and to publish the required performance standards for LED products.

June 12, 2022 - Petition to Food and Drug Administration to regulate LED products as required by the 1968 Radiation Control for Health and Safety Act. Docket Number: FDA-2022-P-1151 (<https://www.regulations.gov/document/FDA-2022-P-1151-0001>). For details, contact Jeffrey Shuren, Director, FDA CDRH. (jeff.shuren@fda.hhs.gov).

May 29, 2023 - Petition to the National Highway Traffic Safety Administration to comply with 21 USC 360ii and liaison with the FDA to publish performance standards for LED vehicle headlights. (<http://www.softlights.org/wp-content/uploads/2023/06/NHTSA-Petition-to-Collaborate-with-FDA.pdf>)

May 30, 2023 - Petition to Department of Energy to comply with 21 USC 360ii and liaison with the FDA to publish performance standards for LED General Service Lamps and LED streetlights. (<http://www.softlights.org/wp-content/uploads/2023/06/DOE-Petition-to-Collaborate-with-FDA.pdf>)

June 5, 2023 - Petition to US Access Board to comply with 21 USC 360ii and liaison with the FDA to publish performance standards for LED products to ensure equal access for those who are neurologically intolerant of LED visible radiation. (<https://www.softlights.org/wp-content/uploads/2023/06/Access-Board-Petition-to-Collaborate-with-FDA-1.pdf>)

The utility company National Grid has installed and operates unvetted, unregulated, hazardous, and discriminatory LED streetlights throughout New York which has created a public health nuisance that is causing severe harm to the citizens of New York. Case 21-02623 was filed with the New York State Public Service Commission on December 13, 2021, and yet the NYSPSC has taken no action. Because the NYSPSC refuses to act to protect the interests of Schenectady, and because National Grid is not disclosing the hazards of LED visible radiation, we recommend that Schenectady inform their insurance company about this issue. If Schenectady notifies their insurance company now, then the insurance company may be able to hold National Grid accountable, but if Schenectady continues the LED streetlight conversion, fully knowing the hazards that LED visible radiation poses, then the insurance company may be able to deny any claims related to harm from LED streetlights.

We also urge you to make this issue public. Tell the citizens of Schenectady straight up what is going on. They will thank you for the transparency. This is a national, and indeed global issue, and Schenectady will earn respect for addressing this issue head-on, rather than keeping the issue hidden from the public. Once Schenectady makes this issue public, a fight will begin with the insurance companies, the Department of Energy, the Food and Drug Administration, National Grid and others as to who is to blame and who is going to pay, but once all the other cities across America see what Schenectady is doing, there will be major movement to get this issue fixed. We are making this same recommendation to cities across America.

To ensure that no individual suffers a seizure, migraine, panic attack, or eye injury while waiting for FDA approval, we urge Schenectady to turn off all LED devices such as LED street lights and LED flashing lights to limit liability and to protect the public from harm.

Sincerely,

Mark Baker
President
Soft Lights Foundation
www.softlights.org
[REDACTED]

On Fri, Mar 18, 2022 at 11:35 PM Mark Baker [REDACTED] wrote:

Dear Town Clerk, Schenectady, New York,

Please forward to the city council and city manager.

Dear City Council and City Manager, Schenectady, New York,

We were notified that Schenectady is planning on purchasing their streetlight poles from National Grid and then switching to LED streetlights. We have grave concerns about the truthfulness of National Grid's claims of energy savings from LED streetlights and that National Grid is fully aware that LED street lights cause epileptic seizures, migraines, and other illnesses and so National Grid is attempting to place the liability for injury onto Schenectady.

We are providing the Schenectady council and city manager this video that we made that details how LED street lights are not energy efficient, but simply an industrial, low-quality light that is toxic to human health. <https://youtu.be/s-eiP9bRnMM>

Here is a link to a study published March 14, 2022 that details how artificial light is harmful to our health: <https://www.pnas.org/doi/10.1073/pnas.2113290119>

With this knowledge, we urge the city to abandon plans to purchase the streetlight poles from National Grid, abandon plans to switch to low-quality LED light, and instead develop a comprehensive plan to protect the natural night resource which will greatly reduce costs to taxpayers and protect their health.

Sincerely,

Mark Baker
President
Soft Lights Foundation
www.softlights.org

