

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE  
SCHENECTADY CITY COUNCIL –FEBRUARY 23<sup>RD</sup>, 2009**

The meeting was called to order by Council President Margaret C. King at 7:00 P.M. in Room 209, City Council Chambers at City Hall.

Ms. King called upon Rev. Dominic Isopo of St. Luke's Catholic Church.

Ms. King called on Rev. Phillip Grigsby 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 Joseph L. Allen, Denise K. Brucker,  
Mark W. Blanchfield, Gary R. McCarthy, Thomas  
Della Sala, Barbara Blanchard and Margaret C. King.

Absent – None

Also Present – Mayor Brian U. Stratton, City Clerk Carolyn Friello  
and Corporation Counsel L. John Van Norden.

**PUBLIC HEARINGS:**

1. Concerning the Environmental Affects of construction of Bureau of Service Complex on Foster Avenue.

Ms. King invited all who wished to speak on the Public Hearing #1 to come forward (7:15 P.M.)

Camile Sasinowski – Schenectady – I have a vested interest in Goose Hill. I just yesterday received the environmental review. I have a few questions. We have an aging and young population with many children at bus stops. That's a concern along with the aged. The Bureau has already contaminated the land its on and now with the possibility of polluting another. I wish the Council would review the environmental statement. There are far too many unanswered questions. The Oregon Avenue site is a far more viable choice.

**APPROVAL OF MINUTES:**

Mr. Blanchfield moved that the minutes of the Meeting of February 9, 2009 be approved as submitted by the City Clerk. It was seconded by Ms. Brucker. Hearing no objections, Ms. King declared the minutes approved as submitted.

**COMMUNICATIONS:**

**Official –**

Two letters from the Dept. of Engineering accepting the contracts and awarding the bids to the following:

Wm H. Clark Municipal Equipment for “Shrouded Jetter with 80 GPM Hydraulic Pump”

Wm H. Clark Municipal Equipment for the purchase of “Tandem Axle Trailer Mounted Vacuum Leaf Collector.

One letter from the Dept. of Engineering rejecting any and all Bids received for

“One Ton Cab & Chassis, Dump Body & Diesel Engine”

**General:**

None

**Petitions:**

None

**COMMITTEE REPORTS:**

Mr. Blanchfield explained item # 5. The bid was unclear and is very appropriate to re-bid. Also, items # 6 and 7, both of these items came in within budget . Also, there was a grant to redevelop Union Street which did not make it to the agenda.

Ms. Blanchard stated that we have worked out a plan to tape our Committee Meetings. They will not be shown live. Next week we will be discussing Graffiti and how to cope with it. Also, I hope we discuss Mr. McCarthy’s idea of a small amount of levy for each department which covers rental certificates and building permits.

**PRIVILEGE OF THE FLOOR (LEGISLATIVE ITEMS)**

Ms. King invited all who wished to address the City Council on any item on the Legislative Agenda to come forward

Seeing no speakers to come before the City Council, Ms. King declared the Privilege of the Floor on the Legislative Agenda closed.

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

**Consent Agenda –**

Resolution No. 2009-20	Adopted Unanimously
Resolution No. 2009-21	Adopted Unanimously
Resolution No. 2009-22	Adopted Unanimously
Resolution No. 2009-23	Adopted Unanimously
Resolution No. 2009-CS-06	Adopted Unanimously
Resolution No. 2009-CS-07	Adopted Unanimously
Resolution No. 2009-CS-08	Adopted Unanimously

**PRIVILEGE OF THE FLOOR:**

Ms. King 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:

Diablo Muntelongo – Yesterday a cop wanted to arrest me for selling art at the Farmer’s Market. I told him I was an artist.

Jason Planck – Civil Service did not write the job description for Affirmative Action. We need a job description that deals with Affirmative Action. It needs Council’s approval and proper notice in the paper.

Pat Zollinger – It’s like Déjà vu, reading about Dwyane Johnson, a patrolman, Paid nearly a hundred seventy thousand dollars in 2008. Just like Messere, Hamilton and others, all “super-cops.” All of them now convicted felons along with their Chief. Chief Chaires was quick to say “this guy lives here” at Police Headquarters, but Johnson didn’t live there, looks like he had a little place of his own. Had it not been for the Daily Gazette, that fraud would have continued indefinitely. It’s a sad day for this City, when a reporter has to uncover

this scam. Now its suspects Johnson may have been sleeping on duty. Maybe, but I say that it was the Commissioner, the Chief, and the Mayor who were asleep. The Chief says, "How stupid can this guy be". Johnson isn't stupid; arrogant perhaps, but not stupid. He was paid over a hundred grand a year and did what he wanted. A stupid person couldn't pull that off. This Administration and the Chief is stupid. You wasted over twenty-two thousand dollars each to purchase GPS devices and never turned them on or printed out a report? So why are we paying the big bucks to the Commissioner and the Chief when they can't even monitor a GPS device? We've paid the Commissioner a quarter million dollars in the last two years and Schenectady hasn't changed at all. We are still a laughing stock. Now it just costs us more to get laughed at. I'm told that this abuse is NOT isolated. If the Commissioner and the Chief, were to dig just a little, they might find other hideaways and other cops enjoying a siesta. Ultimately the blame must go to the City Council and the Mayor. You, who rape the taxpayers with bogus taxes and fees. And while the Mayor runs to DC, with his tin cup, begging for money and seeing the sights, his commissioner and his chief are squandering our hard-earned dollars. So I ask Mr. McCarthy, Public Safety Committee Chairman, where is YOUR outrage? You were quick to get the cops a "fat coach" and consultants for the commissioner and the chief. What are you doing about this disgrace? I don't need to remind you of the Police Department's "Honor Roll". Convicted cops and cops we're paying to stay at home. Finally, if anyone other than a cop had done what Mr. Johnson is accused of, they'd be fired and Mr. Van Norden would be right on top of it with mandated criminal charges. But, this self-proclaimed prosecutor suggests the City take back money paid to Johnson, for the hours he didn't work; about a thousand dollars; hardly a punishment for one who made over 1/2 million dollars in the last 5 years. It's time this City becomes accountable. You can start by making all of the GPS data available to the public. We paid for these toys that were never used and we pay your salary as well. Until you do something, you're all just a waste of money. Nothing changes. Just another day in the life of Schenectady Taxpayers. Nothing changes. This administration is no better than any of the previous administrations.

Celeste Trotz – I reside in the City – I have four issues to present: The first is to say thank you to those of you who have supported the televising of the Committee Meetings. This is a step forward to open government. Schenectady has had many occasions to be a first in the communications field. No, we aren't a first in the nation to televise our committees meeting, but we are amongst good company across this country. These tapings could bring forward positive feedback from the citizens. My hopes are that those coming forward will offer productive feedback and suggestions at the following city Council meeting during this Privilege of the floor.

Second, I am dismayed at the reports of the alleged issue with Officer Johnson and hope the Commissioner, Chief and City Council can take the needed steps, if indeed found guilty to remove him from the force. We need officers that care about our community. I also feel that there should be a cap on how many hours any one officer is allowed to work during any one week, not just one particular day. Third, a closer look should be taken at the ruling that officers live in the community. Although Officer Johnson, I understand lives in the community, I hate to see what condition an officer is in after multiple 16 hours days and trying to drive back to a town 20 miles away. It is not safe to drive when exhausted. Fourth, in regard to Officer Hamilton. Can we ask him to retire? He is an embarrassment and makes us a laughing stock in the Capital District. This is another in a long list of things the PBA supports that is not in our community's best interest. Yes, he probably will get a handsome retirement but as he is useless as a patrol officer doing any police work on the streets. We need more police on the streets.

Rev. Phillip Grigsby – 630 Albany St., -- Thanks for providing lead testing in our Food Pantry. Also, thanks for having Committee Meetings televised. Any system that is watched gets better. Also there is a dire need to revise the Police Civilian Review Board. It is not a swift certain system. A strong Board can benefit the Community.

Eunice Chouffi – Schenectady County – I have been on the Police Civilian Review Board for three years. Everything that Rev. Grigsby said is true. I urge you to start meetings that include the City Council, Police Chief, Commissioner, Mayor and representative from the PBA, so changes can be made in the Legislation.

Vincent Riggi – 2158 Campbell Avenue – We're all frustrated, our police department is a "laughing stock" we don't need more officers – we need the ones we have working. Again you have subpoena power. You can question them under penalty of perjury. We can't take any more greed.

Harry Brand – Van Rensselaer Dr., - You were told about another Patrolman in another area of the City, you have been told about employees at OTB at 11:00 am and you did nothing. You were told about a City Employee putting a family member in a City Car and in a month you gave him a salary increase. You need to ride around the City and see what's happening here. Tell us what is going on here. Its disgusting. When are you going to do something for us --- the taxpayers. Also, we have to sit here for well over 1/2 hour while you do presentations and you give us three minutes, do your presentations at the end of the meeting or on another night.

Sarah Michener – Erie Blvd., -- I am seeing a transparency in government. We want transparency. We have serious questions in regard to Erie Blvd and still no meetings. I ask Councilmember Blanchfield to convene a special Finance Meeting for the Erie Boulevard people.

Sharon DeNovio – Schenectady, - I am speaking in regard to alternate parking on Grant Avenue. The Ridge Transportation Bus had to back down the street. The Brown Bus couldn't get up the street, all because of the "Cob" job plowing the Bureau of Service did. We called police and 12 minutes later they showed up. The Sergeant at the desk said "what do you want me to do about this" They have a force of 166 and have the nerve to ask that question. Maybe the GPS's needs to be on the officers to track their every move. Maybe the good officers shouldn't remain silent anymore. A gentleman from National Grid finally plowed the street. The alternate parking has to be addressed.

Mary McClain – Schenectady, -- At the February 9<sup>th</sup> City Council Meeting some of the comments made on that side of the rail validated what I've been saying. Council doesn't follow thru on agenda items and people who don't attend Committee Meetings won't know what happens at any given time. Also the starting salary for a Schenectady policeman is \$28,000. Even at \$30,000 per officer the overtime money paid to Officer Johnson and others could have been spent to hire several new officers. Why are supervisions being blamed for officers bad behavior, these officers violated their trust. Rotterdam got concessions from the PBA – you refused to do it for us.

Tony Bonome – Bellevue – Please have people here be considerate of others in the Council Chambers. Also, 2004 the Council recognized the 1954 Little League World Champs. One of the members of that team Pete Fennicks passed away. He brought honor to this City. I think he should be recognized.

#### **MISCELLANEOUS:**

Mr. Blanchfield – I agree Mr. Fennicks should be recognized for his contributions to the City. I personally met him several times. Also, in regard to enforcement of the 30 gallon limit with trash in the City. A number of citizens spoke of enforcement of that issue. If you have larger trash cans remove the bags yourself and place them at the curb. This will solve the problem of the cans being too heavy. In regard to the police this is the last thing they need now. How a Police Car can not be heard from for two hours reflects badly on how that person is being supervised. If an officer is not heard from in this length of time it should be of grave concern. He may be down or hurt. This is a concern. Also there are several opportunities to have your taxes done for free – SCAP, Kennedy

Community Center, Higher Ground Church, YWCA and AARP. If you make less than \$42,000 per year you might be eligible for earned income credit.

Ms. Brucker - I share everyone's concerns about the Police regarding everything that has happened this week. Also the GPS system I understand when the systems went into the car – in the demonstration – it said when an officer wasn't able to call in or doesn't respond after 20 minutes an e-mail is sent to the supervising officer. Why weren't they notified? Why didn't they pay attention to these e-mails. Also, we the Council, Administration and Commissioner Bennett need to stand ready toward a structured plan in terms of bringing responsibility and Accountability to the department! I have to say Mr. Mayor I'm very disappointed we didn't hear of these allegations until we read them in the paper. That's not a way to work together and I hope it doesn't happen again.

Mr. Della Sala – I want to join the people who have expressed frustration and outrage at the continuing issues with our police department. At Proctor's last week, I spoke to an officer who was also frustrated. His comments gave me some hope. He said that if previous administrations had taken on some of these issues with the same energy that Mayor Stratton and Commissioner Bennett and Chief Chaires are using now, we would not be where we are today. I ask that we do all we can to complete investigations quickly and make getting those who tarnish the badge off the force so we can all move forward. We're all tired of seeing our police officers in the headlines for things other than making arrests.

Mr. McCarthy – I also share the frustrations, it is truly unfortunate and over shadows the good. I call on the Mayor and Commissioner, we have to send a clear message that there is going to be change. People want results; we have to move forward with a clear plan that will restore faith in that department.

Mr. Allen – We had an investigator to investigate these issues thru the Civilian Review Board, I don't know what happened to him, but I believe he resigned because he got no support from the Administration. If we don't support those that we hire, it does no good.

Mayor Stratton – I share your outrage and disappointment, I wasn't aware of Johnson's charges until Monday morning. I should have known sooner and you as well. My larger concern is that if an officer is unaccountable for 5 or 6 hours how do we know something catastrophic hasn't happened. I believe there had to be collusion. Its intolerable for officers to be unaccounted for, for hours.

Commissioner Bennett – I receive e-mail from Ms. De Novio and her mother regularly. The matter with the school bus was addressed that morning and will be

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again tomorrow. Regarding Hamilton the contract language states that he gets all the Union Time he needs with no explanation. I don't make those rules but we are sure living by them. "Someone gave the store away" Regarding the Civilian Review Board we have no objection to working with them. We want a good relationship with them, I am anxious to sit down and try to get this functional again.

**ADJOURNMENT:**

Seeing no further business to come before the City Council, Ms. King declared the meeting adjourned at 9:00 P.M.

**A TRUE RECORD**

**BY CAROLYN FRIELLO  
CITY CLERK**