

The proposed amendment to §161-21 shows added language in italics and deleted language as struck through.

§ 161-21 Public collection and disposal of solid waste.

- A. The Department shall collect and dispose of all residential solid waste (including institutional, mixed residential and multiple residential users electing to receive and which qualify for City solid waste collection service) originating in the City, and, as further limited by this article, all solid waste from such commercial uses as may elect and qualify to receive City solid waste collection services. Such solid waste shall be stored and prepared for collection by property owners and occupants in accordance with the provisions of this article.
- B. At the discretion of the Commissioner of General Services, the Department may collect and dispose of commercial, institutional, multiple residence and mixed residential use solid waste originating in the City if the Commissioner determines that collection from such users can be accomplished using existing staff and equipment and without compromising the services provided by the City to residential uses. The Department shall not collect industrial, infectious or hazardous waste.
- C. The Commissioner may promulgate regulations covering the items of collection of solid waste and the fees charged therefor, and such other matters pertaining to the public collection and disposal of solid waste as he/she may deem necessary, provided that such regulations are not contrary to the provisions hereof.
- D. *Except as provided within this chapter, ~~the~~ the City shall collect residential solid waste originating in the City as defined by this chapter once each week, ~~The City shall collect white goods originating in the City as defined by this chapter once each month, on the third solid waste pickup day for each garbage district.~~ All other collections will be made at a frequency determined by the Commissioner to be necessary consistent with the public health.*
- E. All residential users (excepting institutional residential users which do not elect to receive City waste collection services) will be provided with waste collection services by the City and shall pay for such services at the rates herein prescribed.
- F. Commercial, institutional, multiple residential and mixed residential users, excepting those which elect to receive and are approved to receive City solid waste collection services, must provide for the lawful collection and disposal of solid waste and recyclables and must establish to the satisfaction of the Commissioner that a licensed commercial solid waste and/or recyclable collector is providing collection and disposal services for the user and that solid waste collection is being made at a frequency determined by the Commissioner to be consistent with public health requirements. Failure to provide for adequate collection and disposal services or to provide satisfactory proof to the Commissioner shall constitute a violation and shall be subject to the penalties provided by Chapter 1, Article I, § 1-14.1.
- G. The Commissioner is authorized, after a time/volume study has been conducted of a mixed-residential, multiple residential, commercial and/or institutional use parcel, to enter into service agreements with such entities for the collection of solid waste and to assess a fee for collection services for that parcel based upon the amount of solid waste generated, consistent with the user fees prescribed by this chapter and adopted annually by resolution of the City Council.



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

RESOLVED, that the City Council will conduct a public hearing in relation to:

**Amendments to Section 186-16 of the Schenectady City Code
Regarding Smoking in City Parks**

Said Public hearing shall be held on Monday, March 13, 2023, at 7:00 p.m. at Council Chambers, Room 209, Schenectady City Hall, 105 Jay Street, Schenectady, New York – for the purpose of the Amendments to Section 186-16 of the Schenectady City Code Regarding Smoking in City Parks; and be it further

RESOLVED, that the City Clerk shall have the following notice published in the appropriate manner:

NOTICE OF

PUBLIC HEARING

**Amendments to Section 186-16 of the Schenectady City Code
Regarding Smoking in City Parks**

On Monday, March 13, 2023, at 7:00 p.m., the Schenectady City Council shall conduct a public hearing in relation to the above-referenced matter. Said public hearing shall be held in Council Chambers, Room 209, Schenectady City Hall, 105 Jay Street, Schenectady, New York – for the purpose of receiving public comment relative to the above-referenced matter; and be it further

RESOLVED, that copies of materials related to the Amendments to Section 186-16 of the Schenectady City Code Regarding Smoking in City Parks be made available at the City Clerk's Office and the City of Schenectady website at www.cityofschenectady.com for public inspection beginning no later than March 8, 2023, and be it further

RESOLVED, that all interested parties may also be heard by submitting written comments to the City Clerk via www.cityofschenectady.com/158/City-Council, by email at smykoo@schenectadyny.gov, or mail at City Clerk, 105 Jay St., Schenectady, NY 12305, by 12:00 p.m. on March 10, 2023.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



City of Schenectady, New York

RESOLUTION No.:

Councilmember

offered the following:

A Resolution Authorizing the City of Schenectady to Waive Property Tax Interest and Penalties for Wholly Tax-Exempt Religious Corporation Owning 801 Stanley Street

WHEREAS, Higher Ground Worship Center, Inc. is a religious nonprofit corporation owning real property located at 801 Stanley Street (SBL 49.33-4-1.1) in the City of Schenectady which is wholly exempt from ad valorem property taxes; and

WHEREAS, Higher Ground Worship Center, Inc.'s purchase of the property in 2008 from another religious corporation resulted in a lapse of the religious property tax exemption applied to the parcel; and

WHEREAS, the exemption lapse resulted in a property tax liability of \$6,882.32, including water and sewer assessments, for the 2009 assessment roll which went unpaid culminating in a subsequent tax lien of approximately \$24,415.75 and inclusion of the parcel in the City's 2022 in rem property tax foreclosure; and

WHEREAS, the City of Schenectady is without authority, absent state legislative approval, to retroactively apply a religious property tax exemption, however, City Council is authorized to waive the interest and penalties that have accrued pursuant to Real Property Tax Law § 1182; and

WHEREAS, retroactive state legislative approval would be likely granted; and

WHEREAS, in the interest of expediency, Higher Ground Worship Center, Inc. has agreed to pay the principal tax and assessments due which, combined with a waiver of interest and penalties, will result in a redemption of the property from the in rem proceeding; and

WHEREAS, due to these circumstances and Higher Ground Worship Center, Inc.'s status as a wholly exempt nonprofit religious corporation, the waiver was approved by the City Finance committee on February 21, 2023:

NOW, THEREFORE BE IT,

RESOLVED, that the Supervisor of Receipts is authorized to waive all property tax interest and penalties, as permitted by law, on 801 Stanley Street (SBL 49.33-4-1.1) which have accumulated since Higher Ground Worship Center, Inc.'s acquisition of title to the property.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin , Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

A Resolution Authorizing the Mayor or his Designee to Enter into an Agreement with Community Loan Fund of the Capital Region, Inc. for \$200,000 for the Small Business Assistance Program

WHEREAS, since 2020, the City of Schenectady has supported over 64 local small businesses with grants; and

WHEREAS, the City seeks to provide additional funding to local small businesses to overcome barriers posed by the effects of COVID-19; and

WHEREAS, on February 13, 2023, the Schenectady City Council adopted resolution 2023-023 authorizing a five-day public comment period for the allocation of \$200,000 of Community Development Block Grant (CDBG-CV) funds for small business assistance; and

WHEREAS, at the conclusion of the five-day public comment period, there were no public comments:

NOW, THEREFORE BE IT,

RESOLVED, that the City Council authorizes the Mayor or his designee to enter into an agreement with the Community Loan Fund of the Capital Region, Inc. for \$200,000 of CDBG-CV funds to provide grants to small businesses in the City of Schenectady.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

**A Resolution Approving and Authorizing the City of Schenectady to
Accept Funding from the State and Municipal Facilities Program
("SAM") for Purchase of a Virtual Reality De-Escalation Training Tool**

WHEREAS, the City of Schenectady sought to secure funding for the purchase of a virtual reality de-escalation training tool; and

WHEREAS, through assistance from Assemblyman Angelo Santabarbara, the City of Schenectady has received a grant of \$50,000.00 through the State and Municipal Facilities Program ("SAM") for the purchase of a virtual reality de-escalation training tool; and

WHEREAS, the funding will support offsetting the cost to purchase the virtual reality de-escalation tool for a two-year period; and

WHEREAS, there is no grant match requirement for the City of Schenectady:

NOW, THEREFORE BE IT,

RESOLVED, that the City Council of the City of Schenectady approves and authorizes the grant award to be accepted.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

**A Resolution Authorizing the City to Enter into an Agreement with
Catapult Games, Inc. for \$70,000 to Provide a Virtual Reality De-
Escalation Training Tool for a Two-Year Period**

WHEREAS, the City of Schenectady seeks to enter into an agreement with Catapult Games, Inc. for the provision of a virtual reality de-escalation training tool for a two-year period; and

WHEREAS, the cost for the two-year agreement will be \$70,000; and

WHEREAS, the virtual reality de-escalation training tool will teach successful de-escalation skills and engage the community to learn about de-escalation; and

WHEREAS, the City will utilize State and Municipal Facilities Program (“SAM”) funding and JAG 21 grant funding to pay for the virtual reality de-escalation training tool:

NOW, THEREFORE BE IT,

RESOLVED, that the City Council of the City of Schenectady authorizes the Mayor or his designee to enter into a two-year agreement with Catapult Games, Inc. in the amount of \$70,000 for the virtual reality de-escalation training tool, the terms of such agreement to be set by the Corporation Counsel; and be it further

RESOLVED, that the Commissioner of Finance and Administration is directed to allocate the funding identified hereinabove to purchase said virtual reality de-escalation training tool.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

A Resolution Authorizing the Sale of 35 Moyston Street for \$500

WHEREAS, it is in the best interest of the City of Schenectady to sell parcel numbered SBL # 49.34-1-39.1; and

WHEREAS, there is no municipal use for the property:

NOW, THEREFORE BE IT,

RESOLVED, that the City Council authorizes the Mayor to enter into a contract to transfer the title of parcel numbered SBL # 49.34-1-39.1 to Teekah Lachman and/or assign for the sum of Five Hundred Dollars (\$500.00); and be it further

RESOLVED, that the terms of the contract for sale shall include terms deemed necessary by the Corporation Counsel.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

**A Resolution Authorizing the Settlement of a Lawsuit by
Mohammed Rahman and Farhana Poli**

WHEREAS, Mohammed Rahman and Farhana Poli commenced an action in federal court (Civil Case No. 1:21-cv-589); and

WHEREAS, the Office of the Corporation Counsel has recommended that it would be in the best interest of the City to settle this matter; and

WHEREAS, the settlement proposal was accepted by the City Claims Committee:

NOW, THEREFORE BE IT,

RESOLVED, that the Office of the Corporation Counsel is authorized to enter into a settlement with Mohammed Rahman and Farhana Poli to settle the claim for \$70,000.00, the terms of which shall be set by the Corporation Counsel.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



**CITY COUNCIL
SCHENECTADY, NEW YORK**

RESOLUTION NO.

Councilmember

offered the following:

**A Resolution Authorizing the Settlement of a Claim by Safeco Insurance a/s/o
Jonathan Miller**

WHEREAS, Safeco Insurance a/s/o Jonathan Miller filed a claim (2022-26) with the City of Schenectady; and

WHEREAS, the Office of the Corporation Counsel has recommended that it would be in the best interest of the City to settle this matter; and

WHEREAS, the settlement proposal was accepted by the City Claims Committee:

NOW, THEREFORE BE IT,

RESOLVED, that the Office of the Corporation Counsel is authorized to enter into a settlement with Safeco Insurance a/s/o Jonathan Miller to settle the claim for \$53,793.53, the terms of which shall be set by the Corporation Counsel.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin, Esq.
Corporation Counsel



City of Schenectady, New York

RESOLUTION No.:

Councilmember

offered the following:

A Resolution Authorizing the City of Schenectady to Settle a Tax Certiorari with Southside Development LLC with Regard to 1108 State Street

WHEREAS, Southside Development LLC owned property located at 1108 State Street (SBL# 49.50-4-1.11) in the City of Schenectady during the 2021 tax assessment period; and

WHEREAS, 1108 State Street's assessed value for 2021 was \$2,450,000.00; and

WHEREAS, Southside Development LLC, by and through its attorney, filed a petition pursuant to Article 7 of the Real Property Tax Law in State Supreme Court seeking a reduction in the property's assessed value for Assessment Roll Year 2021; and

WHEREAS, the Office of Corporation Counsel and the City Assessor have recommended that it would be in the best interest of the City to settle this matter; and

WHEREAS, the settlement was approved by the City Claims committee on February 21, 2023:

NOW, THEREFORE BE IT,

RESOLVED, that the Office of Corporation Counsel is authorized to enter into a stipulation agreement with Southside Development LLC, whereby the assessed value for 1108 State Street (SBL# 49.50-4-1.11) for the 2021 assessment roll will be reduced from \$2,450,000.00 to \$1,315,150.00.

Approved as to form this
27th day of February, 2023.

Andrew B. Koldin , Esq.
Corporation Counsel

WHEREAS, in 1980, President Jimmy Carter designated the first week of March as National Women's History Week, noting that "*the achievements, leadership, courage, strength and love of the women who built America was as vital as that of the men whose names we know so well.*"

WHEREAS, since 1987, Women's History Month has been officially recognized by the United States Congress and celebrated during March, and

WHEREAS, Women's History Month is dedicated to the accomplishments and achievements of women of every race, class, and ethnic background throughout United States history that are often overlooked, and

WHEREAS, the theme for 2023's Women's History Month is "Celebrating Women Who Tell Our Stories," honoring women in every community who have devoted their lives and talents to producing art, pursuing truth, and reflecting the human condition decade after decade, and

WHEREAS, throughout time, women authors, songwriters, scholars, playwrights, performers, and grandmothers have long been instrumental in passing on our heritage in word and in print to communicate the lessons and experiences of those who came before us, helping to expand our understanding and strengthen our connections with each other, and

WHEREAS, recognizing the achievements of women in all facets of life – science, community, government, literature, art, sports, medicine – has a huge impact on the development of self-respect and new opportunities for girls and young women, and

WHEREAS, women have been inspirational leaders, not only in advancing their own rights of suffrage and equal opportunity, but also in other social justice movements including the abolitionist movement, the industrial labor movement, the civil rights movement, and the gay rights movement, now therefore, be it

RESOLVED, that the Mayor, Gary R. McCarthy, and City Council of the City of Schenectady do hereby pause in their deliberations to recognize and celebrate Women's History Month in March 2023, and acknowledge and salute the critical role that women have played in the development, success, and achievements of Schenectady and the United States.