

OFFICE OF CITY CLERK
SCHENECTADY, NEW YORK
AGENDA FOR
THE COUNCIL CAUCUS
AND
THE CITY COUNCIL MEETING

Webex Link: <https://schenectadyny.webex.com/schenectadyny/onstage/g.php?MTID=e8037d0dd88dafb518bba0479ee50bf5a>
Webex Meeting Phone #: 1-415-655-0001; Meeting #: 161 609 2723; Meeting Password: CityCouncil
Monday, June 14, 2021

5:30 p.m.

PUBLIC HEARING

001

Regarding Amending Chapter 183 of the City Code Related to Business Certificates of Use

ORIGINAL CONSIDERATION

01 Council Member

A RESOLUTION Calling for a Public Hearing to Accept Ownership of Barrett Village Lane

Votes Required 4

FINAL CONSIDERATION

02 Council Member

A RESOLUTION Adopting the 2021-2022 HUD Annual Action Plan

Votes Required 4

ORIGINAL CONSIDERATION

03 Council Member

A RESOLUTION Authorizing the Mayor, or his Designee, to Enter into and Agreement with Schenectady County to Accept a \$100,000 Grant for Improvements to Orchard Street Park

Votes Required 4

ORIGINAL CONSIDERATION

04 Council Member

A RESOLUTION Requesting New York State Attorney General James Send "Cease and Desist" Letters to Fireworks Companies that Target New York State Residents

Votes Required 4

ORIGINAL CONSIDERATION

05 Council Member

A RESOLUTION Authorizing the City to Enter into Agreements with Chevrolet of Smithtown, Beyer Ford, LLC and Metro Ford Sales, Inc. to Purchase Vehicles for the Police Department

Votes Required 4

ORIGINAL CONSIDERATION

06 Council Member

A RESOLUTION to Amend the Department of Finance Wage and Salary Line in the 2021 Budget

Votes Required 4

ORIGINAL CONSIDERATION

07 Council Member

A RESOLUTION Authorizing the Commissioner of Finance to Deposit and Increase the Capital Budget Code HY417083-201-023, in the Amount of \$1,625,567.57 for the New York State Department of Transportation (NYDOT) "Touring Route Program"

Votes Required 4

ORIGINAL CONSIDERATION

08 Council Member

A RESOLUTION Authorizing the Commissioner of Finance to Deposit and Increase the Capital Budget Code HY417083-201-023, that Has Been Designated Specifically for the CHIPS, EWR & PAVE NY Fund by the Amount of \$2,108,009.73

Votes Required 4

ORIGINAL CONSIDERATION

09 Council Member

A RESOLUTION Authorizing the Sale of 4 Harvard Street

Votes Required 4

ORIGINAL CONSIDERATION

10 Council Member

A RESOLUTION Authorizing the Sale of 118 DeGraff Street

Votes Required 4

11 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Authorizing the Sale of 450
Manchester Road
Votes Required 4

12 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Authorizing the Sale of 525
Lang Street
Votes Required 4

13 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Authorizing the Sale of 739
Eastern Avenue
Votes Required 4

14 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Authorizing the Sale of 1681
Van Vranken Avenue
Votes Required 4

15 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Authorizing the Sale of 1825
Broadway
Votes Required 4

16 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Recognizing the Celebration
of Juneteenth
Votes Required 4

17 Council Member **ORIGINAL CONSIDERATION**
A RESOLUTION Recognizing Flag Day
Votes Required 4

Public comments may also be submitted by mail to:
Samanta R. Mykoo, City Clerk
City Hall, 105 Jay Street, Room 107
Schenectady, New York 12305

NOTE: Proposed additions are italicized; proposed deletions are struck through.

§ 183-6. Application for certificate of use.

- A. An application for a certificate of use shall be made to the office of the Building Inspector on forms prescribed by the Corporation Counsel. The application shall request relevant information relating to the operator and the business to be conducted at the premises, including but not limited to the existence of necessary licenses and permits for the business. For purposes of the application, all contact addresses and telephone numbers provided by the applicant must include the home address and telephone number of the applicant and any managing or operating agent, owner or principal in any partnership or joint venture that will own or operate the business. The application must in every instance include the following:
- (1) Identity and contact information for the owner of the premises, including street address and telephone number;
 - (2) If the business owner and/or operator is not the owner of the proposed business premises, a lease agreement between the owner and the business operator;
 - (3) Identity and contact information for all business owners(s), operator(s), principal(s), agent(s) and manager(s), including street address and telephone number for each such person;
 - (4) A detailed description of the nature and scope of the business, including but not limited to the number of anticipated employees and patrons on a daily basis, the provisions being made for firesafety, security, parking, deliveries and waste disposal;
 - (5) Copies of documentation identifying all owners and operators of the business, including passport, driver's license, immigration or citizenship records, tax registration and identification certificates for the business and any owner or operator;
 - (6) Certified copies of any relevant business status filing, including doing business as or assumed name certificates, certificate of incorporation, limited-liability partnership or corporation certificates and filings;
 - ~~(7) If a corporation, evidence that the corporation is registered to do business in the State of New York and is active and in good standing;~~
 - (8) Evidence of liability insurance in a sum not less than \$500,000;
 - (9) The identity, address and account number for all bank accounts utilized in the operation of the business;
 - (10) The name, address and telephone number of two references;
 - (11) Authorizations permitting the City to conduct background, credit, Dun & Bradstreet, immigration and criminal history checks for any owner or operator;
 - (12) Documentation required by § 161-21F;
 - (13) A diagram of the premises to be occupied, providing the square footage devoted to the proposed business, the general layout of the business operations, and the location of all emergency and nonemergency entrances and exits;

- (14) Such other information as the Corporation Counsel shall deem relevant and necessary to ensure the protection of the public and the lawful operation of the business and the enforcement of applicable provisions of the City Code.
- B. The Corporation Counsel shall have the authority to modify and/ or waive the application contents of any application for a business certificate of use submitted by any publicly traded corporation or to safeguard proprietary information of an applicant.
 - C. Any changes to the information submitted by the applicant shall be reported to the Building Inspector within 30 days of the change.

§ 183-8. Issuance of certificate.

- A. No certificate of use shall be issued unless the applicant has fully complied with the provisions of this article and has all necessary licenses and permits for the business.
- B. No certificate of use shall be issued to an applicant during the term of a suspension or revocation of a previous certificate of use or while charges brought pursuant to Article I, §§ 183-1 and 183-2, of this chapter, or any other violation of the City Code, or any local, state or federal criminal or penal law are pending against the applicant.
- C. No certificate of use shall issue to an applicant during the term of a suspension or revocation of a previous certificate of use or while charges brought pursuant to Article I, §§ 183-1 and 183-2, of this chapter, or any other violation of the City Code, or any local, state or federal criminal or penal law are pending against any associate, business partner, co-owner, agent or manager of the applicant.
- D. No certificate of use shall be issued to an applicant where it is determined that any required information has been intentionally misrepresented or omitted. If it is determined that required information was intentionally misrepresented or omitted after the certificate of use has been issued, the City may revoke it 10 days after providing notice of such misrepresentation or omission to the business owner or operator. The business owner may appeal the revocation of the certificate of use within 10 days of receiving the notice. The Mayor, or her or his designee, shall hear the appeal and make the final determination. **[Amended 4-13-2015 by Ord. No. 2015-04]**
- E. No certificate of use shall be issued unless the proposed business premises is in compliance with the Code of the City of Schenectady.
- ~~F. No certificate of use shall be issued to any person to operate a business at a premises that has delinquent taxes, administrative fees or water, sewer or waste collection fees, including any unsatisfied tax liens or fees sold or assigned by the City to any third person, party, company or agency.~~
- G. No certificate of use shall be issued to any proposed business that has not fully or completely documented the identity of all owners, operators or persons having a financial stake in the business (other than publicly traded corporations).
- H. No certificate of use shall be issued for a period of one year to any applicant operating a proposed business without a certificate of use.
- I. Certificates shall be issued or denied within 30 days after an application is completed.