

**MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE SCHENECTADY CITY COUNCIL
March 13, 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.

Ms. Porterfield held a moment of silence for all those who are having difficulties today and every day, and then called on Dave Connolly to lead the pledge of allegiance.

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

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

Also Present - Mayor Gary R. McCarthy, Deputy City Clerk Ekram J. Phanisnaraine, and Corporation Counsel Andrew B. Koldin, Esq.

Absent – Councilmember John Mootoveren

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

Resolution 2023-043 Honoring the John F. Kennedy Division 1 of the Ancient Order of Hibernians together with the John F. Kennedy Division 1 of the Ladies Ancient Order of Hibernians and all People of Irish Descent throughout the City of Schenectady on the Occasion of the Feast of Saint Patrick, March 17

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

The resolution was accepted by the members of the organization. They thanked the Mayor and Council for the recognition.

PUBLIC HEARING:

1. Regarding Amendments to § 186-16 of the Schenectady City Code Regarding Smoking in City Parks

Ms. Porterfield invited all who wished to address the Council regarding the Public to come forward.

Seeing no speakers come forward, Ms. Porterfield declared the Public Hearing closed.

APPROVAL OF MINUTES:

Ms. Porterfield asked for a motion to approve the minutes from the February 24, 2023 and February 27, 2023 council meetings as submitted by the City Clerk. Mr. Williams made a motion to approve the minutes and Mr. Farley seconded the motion.

COMMUNICATIONS PRESENTED TO THE CITY COUNCIL

Official:

None.

General:

From Nils Headlund of American Legion Post 1485, a thank you letter for funds donated.

From Haley Viccaro, an email requesting additional garbage bins including recycling bins for the neighborhoods rather than removing existing bins.

From Theresa Zubretsky of the Capital District Tobacco-Free Communities, a letter in support of amending ss186-16 of the City Code regarding Fires & Smoking in City Parks to prohibit smoking and vaping of both tobacco and cannabis on City property.

From Roeser Randall, an online submittal in support of the ban of smoking cannabis in City Parks.

Petitions:

None.

COMMITTEE REPORTS

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 Council approves the Consent Agenda, the motion was moved by Ms. Williams and seconded by Ms. Patrick.

Consent Agenda

- Resolution No. 2023-04..... Adopted Unanimously
- Resolution No. 2023-043.....Adopted Unanimously
- Resolution No. 2023-044.....Adopted Unanimously
- Resolution No. 2023-045.....Adopted Unanimously
- Resolution No. 2023-046.....Adopted Unanimously
- Resolution No. 2023-CS-05.....Adopted Unanimously
- Resolution No. 2023-CS-06.....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.

Diablo Montelongo – Offered his thoughts on legal prostitution and its effectiveness over the legalization of marijuana.

Edmund Laven, Jr. – Expressed his ongoing frustrations with a judgement from Judge Falotico of Schenectady City Court.

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:

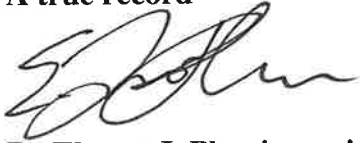
Mayor McCarthy – Addressed the of State of Emergency that was declared earlier in the day due to incoming severe winter weather conditions in the City. He then asked everyone to be safe and thanked them for their cooperation.

Marion Porterfield – Congratulated the Legacy Café at the City Mission on their grand opening, and Charles Burch for their business expansion to Albany Street.

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. Farley and seconded by Mr. Williams. The meeting was adjourned at 7:22 p.m.

A true record

A handwritten signature in black ink, appearing to read 'Ekram J. Phanisnaraine', written in a cursive style.

**By Ekram J. Phanisnaraine
Schenectady Deputy City Clerk**



AMERICAN LEGION POST 1485

March 2, 2023

SAMANTA MYKOO, City Clerk
City Hall, Jay Street
Schenectady, N.Y. 12305

Dear SAMANTA MYKOO, City Clerk.

The members of The American Legion Post 1485 want to
thank you for the check of \$1000.00

Sincerely yours
Mits Hedlund
Post 1485

Samanta R. Mykoo

From: Haley Viccaro [REDACTED]
Sent: Wednesday, March 08, 2023 11:09 AM
To: Marion Porterfield; Carmel Patrick; Doreen M. Ditoro; Carl Williams; Damonni Farley; John Mootooveren; John Polimeni
Cc: Samanta R. Mykoo
Subject: City Garbage Bins Proposal

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.

Hello City Council members,

After reading this article in the Gazette: » [Schenectady council considers proposal to acquire ad-supported garbage bins \(dailygazette.com\)](#), I wanted to reach out with a few important items for you to consider as part of this proposal.

As a city resident and in my involvement with Schenectady Greenmarket, I've recognized a couple garbage issues that I'm hoping this proposal can help address, including increasing the number of garbage bins in the city, offering recycling opportunities for residents, and decreasing litter city-wide.

There are many areas in the city that lack proper garbage bins and result in litter. While the article notes this proposal may not increase the number of bins in the city, and may only replace old/dilapidated ones, I would urge the city and the Council to use this as an opportunity to address the issue of the need for more bins to reduce litter.

Also, unfortunately the city does not offer public recycling bins. Having bins that provide receptacles for both trash and recycles will help to reduce the amount of waste in our city and properly dispose of items. This could be a great way to encourage residents to not only reduce litter, but to also increase recycling awareness and efforts in our community

During the outdoor Schenectady Greenmarket, even though there are several garbage bins around City Hall, they are often full given the amount of trash over the weekend in downtown. Also, since the Greenmarket started providing composting in partnership with Cornell Cooperative Extension, Schenectady County Recycles, and FoodScraps360 (something I'm hoping the city will embrace and support more in the future!), the need for recycle bins has also become prominent among customers and residents.

While this proposal is still in discussion among the city and the Council, I hope you consider these needs in our community to help reduce litter and waste, improve our environment, and support the beautification of our great city.

Thank you all!



Capital District
Tobacco-Free
Communities

www.SmokeFreeCapital.org | contact@SmokeFreeCapital.org

To: Members of the Schenectady City Council

Re: Amending ss186-16 of the City Code Regarding Fires & Smoking in City Parks

Date: March 9, 2023

I am offering public comment on behalf of Capital District Tobacco-Free Communities (CDTFC), a program funded by the NYS Department of Health to promote tobacco-free living in Albany, Schenectady and Rensselaer Counties. Our program has three primary goals: 1) reduce tobacco use overall; 2) prevent youth initiation; and 3) protect people from exposure to secondhand smoke.

My comments are focused on the benefits of prohibiting smoking and vaping of both tobacco and cannabis on City of Schenectady property.

I was working at CDTFC when Schenectady first adopted a tobacco-free policy in 2010 for city park pavilions, fields and playgrounds and in 2012 when the policy was expanded to prohibit the smoking of tobacco products in all areas of city parks.

A recent NYS Law, effective October 13, 2022, prohibits the smoking of tobacco **and** cannabis in all public parks, including Schenectady City parks. And that's a good thing. Eliminating smoking in parks keeps the air healthy, prevents toxic litter from harming people, animals, and the environment, and increases accessibility to people with health conditions such as asthma.

This new state law, however, does not prohibit **vaping** of either tobacco or cannabis in public parks. This omission threatens to undermine the progress made to protect people from harmful exposure to secondhand smoke and efforts to reduce youth smoking and vaping.

Electronic cigarette use has proliferated, most notably among high school aged youth, prompting the US Surgeon General to pronounce it an epidemic and prompting NYS to eliminate the sale of the flavored e-cigarettes containing nicotine that were so appealing to young people. Vaping cannabis is also becoming increasingly popular among cannabis users.

Many of the benefits for prohibiting vaping of nicotine and cannabis are the same as those for prohibiting smoking. The aerosol emissions from electronic vape devices (whether used for cannabis or nicotine) contain hundreds of harmful chemicals and particulates similar to those found in secondhand tobacco and cannabis smoke, including many found to cause cancer in humans.

Tobacco and cannabis use in shared public places that are designed to be family-friendly also undermines efforts to prevent youth smoking and vaping. The more smoking and vaping kids see, the more likely they are to perceive it as normal, and the more likely they are to start.

But the health benefits aren't just for people. . . pets, wildlife and the environment benefit, too. It's well-established that cigarette butts are toxic to animals, people and the environment and that they aren't biodegradable. But e-cigarette waste may pose an even greater danger. The devices themselves contain lithium batteries. The disposable devices and the pods used in reusable devices, contain remnants of highly concentrated liquid nicotine or THC, both of which pose a significant danger and they've become a significant litter problem in public spaces.

Smoke- and vape-free policies that restrict the use of **all** products which can be smoked and **all** products that can be vaped are the most beneficial to public health, to environmental protection, and also help to firmly establish a tobacco-free norm that reduces youth tobacco use.

There are significant benefits to prohibiting the smoking and vaping of tobacco and cannabis on ALL municipal property including, but not limited to, parks. Local governments have a special responsibility to make public services and programs accessible to all members of the community, including those with health conditions that can be exacerbated by exposure to secondhand smoke and e-cigarette emissions. Over the years, our office has fielded many calls from city residents whose access to public services was impeded by the presence of secondhand smoke near city buildings and entryways.

CDTFC can provide information and technical assistance on policy implementation, including community education to maximize compliance, and free custom signage to help communicate the policy. Local municipalities can also get support from the Public Health Law Center which is contracted by the NYS Department of Health to provide law and policy expertise related to commercial tobacco control. All these services are funded by the State of NY tobacco control program and are free to local governments.

The legalization of recreational marijuana can coexist with the public health goal of protecting people from the harmful effects of exposure to secondhand smoke and vape emissions and preventing youth smoking and vaping. Local policies can be helpful to ensure that the progress made toward establishing tobacco-free norms is protected and strengthened. Thank you for your consideration of a policy that will make Schenectady parks even healthier for all to enjoy.

Respectfully submitted,

Theresa Zubretsky
Capital District Tobacco-Free Communities
Theresa.zubretsky@sphp.com
518-459-2388 Ext 2

Building healthier communities where we live, learn, work and play

Samanta R. Mykoo

From: Michelle Davis
Sent: Monday, March 13, 2023 12:41 PM
To: Samanta R. Mykoo
Subject: FW: Online Form Submittal: Department Contact Form

Hello Sam,
I received this email about the cannabis ban in parks. I want to forward it on since there was a public hearing and people have been sending in their feedback via email.
Thank you,
Michelle

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, March 13, 2023 12:34 PM
To: Mayors Office <MOffice@schenectadyny.gov>; Alex Sutherland <ASutherland@schenectadyny.gov>
Subject: Online Form Submittal: Department Contact Form

Department Contact Form

Department to Contact	Mayor's Office
First Name	Randall
Last Name	Roeser
Address 1:	[REDACTED]
City	Schenectady
State	NY
Zip Code	12309
Email	[REDACTED]
Telephone	[REDACTED]
Comments	Dear Mayor McCarthy: My wife and I were thrilled to read that the City Council will be considering a ban on cannabis smoking in city parks. Our decision to move to Schenectady from the suburbs in 2008 was based in part on our desire to live near Central Park. We recreate in the park almost daily — walking, jogging, biking, birding, enjoying the Rose Garden, attending Music Haven concerts, taking our granddaughter to the tot lot, even playing

bocce!

Even before the state legalized cannabis use, people smoked in their cars in the park, especially in the parking lot between the Duck Pond and Diamond B. Since legalization, the smell of cannabis has become more prevalent throughout the park. We now find ourselves taking detours to avoid passing close to any parked vehicle; even so, it is a rare outing when our enjoyment of the park isn't marred by having to inhale pungent pot smoke.

We think you'll agree that parks, especially in cities, should be places where people can go to enjoy nature and breathe fresh air. The city already bans cigarettes and other smoking products in the parks. Cannabis should be added to the list.

We hope we can count on you to support the ban. And if the ban is approved, we urge the city to take actions to educate the public about the new rule and, especially in the first weeks and months, to enforce it.

Sincerely,
Randall Roeser

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