



**COMMON COUNCIL MEETING  
FINANCE, ASSESSMENT & TAXATION COMMITTEE  
Ginnie Farrell, Chair**

**DATE:** Thursday, March 12, 2020

**PLACE:** City Court Room 209 – 2<sup>nd</sup> Fl. City Hall

**TIME:** 5:30 p.m.

**TOPIC(S) OF DISCUSSION/CONSIDERATION:**

- D - 2020 A LOCAL LAW AMENDING ARTICLE III (SENIOR CITIZEN TAX EXEMPTION) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE FILING OF APPLICATION FOR EXEMPTION
- 43.112.19 AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ALBANY COUNTY HISTORICAL SOCIETY OF A CITY OWNED VACANT LOT AT 142 LIVINGSTON AVENUE
- 2.22.20 AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ROY VINCENT OF A CITY OWNED VACANT LOTS AT 187 HENRY JOHNSON BOULEVARD, 217 THIRD STREET AND 219 THIRD STREET
- 15.31.20R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO A TITLE CHANGE FOR CERTAIN POSITIONS FOR THE 2020 BUDGET (Treasurer)
- 21.31.20R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST AND PENALTIES REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST AND PENALTIES
- 22.31.20R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 BUDGET

**PUBLIC COMMENT PERIOD: YES**

**Council Member** introduced the following:

**LOCAL LAW D – 2020**

**A LOCAL LAW AMENDING ARTICLE III (SENIOR CITIZEN TAX EXEMPTION) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE FILING OF APPLICATION FOR EXEMPTION**

**BE IT ENACTED** by the Common Council of the City of Albany as follows:

**Section 1. Section 333.37 (Filing of Application on or before taxable status date) of Chapter 333 (Taxation) of the Code of the City of Albany is amended to read as follows:**

At least 60 days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted exemption pursuant to this article on the latest completed assessment roll an application form and a notice that such application must be filed ~~on or before the taxable status date and be approved in order for the exemption to be granted~~ in accordance with Real Property Tax Law § 467(8). In the case of the 2020 Assessment Roll, the deadline to submit applications shall be the last day to pay school taxes without interest in accordance with RPTL § 467(8-a).

**Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.**

Approved as to form this 11th day of February, 2020.

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Corporation Counsel

**Albany Common Council  
Memorandum in Support of Legislation**

**TO:** Danielle Gillespie, City Clerk  
**FROM:** Sarah Valis, Assistant Corporation Counsel  
**RE:** Supporting Memorandum  
**DATE:** February 20, 2020

**Local Law D - 2020**

**TITLE:** A LOCAL LAW AMENDING ARTICLE III (SENIOR CITIZEN TAX EXEMPTION) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE FILING OF APPLICATION FOR EXEMPTION

**PURPOSE:** Technical correction

**SUMMARY:** The Enhanced STAR and the Senior Citizens exemption used to be filed for on the same application. Due to recent changes to the enhanced STAR program, Tax and Finance now checks the 1040 of owners who have registered and automatically grants the exemption to those who qualify. There have been numerous articles in the papers, segments on the news and other newsletters notifying property owners of the changes and they all highlight how once you have registered for STAR, there is no more paper work. This is resulting in individuals not realizing that the Senior Citizen exemption, although formerly applied for on the same form as the Enhanced STAR, is a separate exemption that still needs to have annual renewals, and as a result the City has seen an unbelievably low number of applications received halfway through the filing period (less than 20%).

**JUSTIFICATION:** This change to City Code § 333.37 will provide the City with additional time to reach out to property owners who have failed to submit their application thus far, and provided the community with further education regarding the need to file annually for the Senior Citizen exemption. Further, it will allow individuals who qualify more time to file for the exemption.

**FISCAL IMPACT:** TBD

**EFFECTIVE DATE:** Upon final passage, public hearing and filing with the Secretary of State.

**Council Members Love offered the following:**

**Ordinance Number 43.112.19**

**AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ALBANY COUNTY HISTORICAL SOCIETY OF A CITY-OWNED VACANT LOT AT 142 LIVINGSTON AVENUE**

**The City of Albany, in Common Council convened, does hereby ordain and enact:**

**Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the undeveloped parcel at 142 Livingston Avenue, parcel identification number 65.74-4-13, be sold at private sale pursuant to the provisions of Local Law No. 4 of 1984 to the Albany County Historical Society.**

**SUBJECT to all easements, restrictions and rights-of-way of record.**

**Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes.**

**Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.**

**Section 4. This ordinance shall take effect immediately.**

**Approved as to form this 8<sup>th</sup> day of November, 2019**

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**Corporation Counsel**

**To:** Danielle Gillespie, City Clerk  
**From:** Marisa Franchini, Deputy Corporation Counsel  
**Re:** Request for Common Council Legislation  
Supporting Memorandum  
**Date:** November 8, 2019

**ORDINANCE NUMBER 43.112.19**

**TITLE**

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ALBANY COUNTY HISTORICAL SOCIETY OF A CITY OWNED VACANT LOT AT 142 LIVINGSTON AVENUE

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**GENERAL PURPOSE OF LEGISLATION**

To allow the Albany County Historical Society to preserve the historical site. They will be paying the assessed value of the lot- \$1500.00.

ACHA owns all of the property from the Ten Broeck Mansion up to the city's lot. That consists of 134 Livingston (the parking lot), 136 Livingston (where a derelict house was demolished), and 138/140 Livingston (location of the present interpretive sign for the Ten Broeck burial vault).

ACHA Trustee Walter Wheeler, an architectural historian, has uncovered information showing that the former Ten Broeck burial vault likely overlapped the city's lot at 142 Livingston, by about 9 feet.

At the Board of Trustees meeting on April 11, it was agreed that ACHA will commit to historical interpretation of the lot if we are able to purchase it. We propose to outline the actual vault location with cobblestones, with a walkway from the sidewalk to it. Inside the cobblestone outline could be gravel or wood chips. We could retain the existing interpretive sign (which is off to the side), and add a second sign with more info about the occupants of the vault, including Abraham and Elizabeth Ten Broeck, Philip Schuyler, and William Linn.

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**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

Sale of city owned property requires Council approval.

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**EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE**

N/A

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**SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)**

N/A

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**SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)**

N/A

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**FISCAL IMPACT(S)**

\$1500.00 worth of revenue.

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**Council Member** offered the following:

**Ordinance Number 2.22.20**

**AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ROY VINCENT OF A CITY OWNED VACANT LOTS AT 187 HENRY JOHNSON BOULEVARD, 217 THIRD STREET AND 219 THIRD STREET**

**The City of Albany, in Common Council convened, does hereby ordain and enact:**

**Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the undeveloped parcel at 187 Henry Johnson Boulevard, parcel identification number 65.65-1-11, be sold at private sale to Roy Vincent.**

**SUBJECT to all easements, restrictions and rights-of-way of record.**

**Section 2. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the undeveloped parcel at 217 Third Street, parcel identification number 65.65-1-13, be sold at private sale to Roy Vincent.**

**SUBJECT to all easements, restrictions and rights-of-way of record.**

**Section 3. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the undeveloped parcel at 219 Third Street, parcel identification number 65.65-1-14, be sold at private sale to Roy Vincent.**

**SUBJECT to all easements, restrictions and rights-of-way of record.**

**Section 4. It is hereby determined that the aforesaid properties have been abandoned for municipal or public purposes.**

**Section 5. The form, content, terms and conditions of such conveyances shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.**

**Section 6. This ordinance shall take effect immediately.**

**Approved as to form this 4<sup>th</sup> day of February, 2020.**

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Corporation Counsel

**To:** Danielle Gillespie, City Clerk  
**From:** Sarah Valis, Assistant Corporation Counsel  
**Re:** Request for Common Council Legislation  
Supporting Memorandum  
**Date:** February 4, 2020

**ORDINANCE NUMBER 2.22.20**

**TITLE:** AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO ROY VINCENT OF A CITY OWNED VACANT LOTS AT 187 HENRY JOHNSON BOULEVARD, 217 THIRD STREET AND 219 THIRD STREET

**GENERAL PURPOSE OF LEGISLATION:** The owner of 185 Henry Johnson Boulevard would like to purchase the three lots to expand his business. All relevant departments have signed off. The purchase price is approximately \$15,000 for the three parcels.

**NECESSITY FOR LEGISLATION:** Sale of city owned property requires Council approval.

**EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE:**  
N/A

**SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable):** N/A

**SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable):** N/A

**FISCAL IMPACT(S):** None identified.

**Council Member** introduced the following:

**Resolution Number 15.31.20R**

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO A TITLE CHANGE FOR CERTAIN POSITIONS FOR THE 2020 BUDGET (Treasurer)**

**WHEREAS**, Section 604(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary rate or salary total that occurs outside of those described in the duly adopted budget must be consented to by the Common Council; and

**WHEREAS**, the Treasurer's Office has requested amendments to the 2020 budget to reflect a title change from "Administrative Assistant" to "Account Clerk".

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the elimination of the current position of Administrative Assistant and the creation of one additional position of Account Clerk within the Office of the Treasurer for the 2020 budget year.

**CANCELLED**



**Albany Common Council  
Memorandum in Support of Legislation**

**TO:** Danielle Gillespie, City Clerk  
**FROM:** Sarah Valis, Assistant Corporation Counsel  
**RE:** Supporting Memorandum  
**DATE:** February 18, 2020

**RESOLUTION NUMBER 15.31.20R**

**TITLE:**

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO A TITLE CHANGE FOR CERTAIN POSITIONS FOR THE 2020 BUDGET (Treasurer)

**GENERAL PURPOSE OF LEGISLATION:**

Consent by the Common Council to amend the budget by eliminating one Administrative Assistant position and creating one additional Account Clerk position to be paid at the same rate of \$36,050.

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:**

Pursuant to the City Charter the Council must consent to the transfer of funds that effect salary totals which occur outside of the Budget process.

**EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE:**

As soon as possible to allow for the position to be created and filled.

**FISCAL IMPACT(S):**

N/A

**Council Member Conti offered the following:**

**RESOLUTION NUMBER 21.31.20R**

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST AND PENALTIES REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST AND PENALTIES**

**WHEREAS**, property taxes due on the property located at 286-288 Lark Street (Tax Map #76.31-2-75) by Precise Fiscal Intermediary Services LLC, the owner of record of said property, have not been remitted in a timely manner; and

**WHEREAS**, such delinquency is due in part to the inadvertent provision of a 2018 property tax paid receipt dated December 29, 2017 provided the owner of said property at the time remaining 2017 liabilities were being paid as part of a property ownership transfer: and

**WHEREAS**, as the result of such receipt, the property owner was under the impression that 2018 property tax liabilities had been satisfied; and

**WHEREAS**, subsequent notification of property tax payment delinquencies were not timely received by the property owner due to ownership records that were not timely updated to reflect the property transfer that occurred at the close of 2017, resulting in late payment notifications being sent to the prior owner; and

**WHEREAS**, the current property owner has only recently become aware of the delinquency in payment of the 2018 property tax as a result of notification from the Albany County Division of Finance of the delinquency and accrued interest and penalty liabilities; and

**WHEREAS**, the delinquency occurred through no fault of the current property owner, who is otherwise current on a timely basis for the payment of property taxes for the years 2019 and 2020; and

**WHEREAS**, Section 1182 of the New York State Real Property Tax Law (RPTL) authorizes that if the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; provided, however, that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing; and

**WHEREAS**, the Common Council of the City of Albany, as the municipal corporation affected, consents to the remission of interest as it pertains to the 2018 property taxes which were

due to the City of Albany for the property located at 286-288 Lark Street on or before January 31, 2018 and that would otherwise have been remitted from February 1 through and including February 28, 2018; and

**WHEREAS**, the Common Council requests that the Albany County Legislature, as the governing body of the tax district, pass legislation authorizing the appropriate County Officials to permit the cancellation of any interest imposed by law to which the City is lawfully entitled regarding the payment of the 2018 property taxes for the property located at 286-288 Lark Street which were otherwise due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany, as the municipal corporation affected, consents to the remission of interest as it pertains to the 2018 property taxes which were due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018 by Precise Fiscal Intermediary Services LLC, the owner of record for the property located at 286-288 Lark Street; and

**BE IT FURTHER RESOLVED**, that the Common Council requests that the Albany County Legislature, as the governing body of the tax district, pass legislation authorizing the appropriate County officials to permit the cancellation of any interest imposed by law to which the City is lawfully entitled regarding the payment of the 2018 property taxes which were due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018 for said property.

CANCELLED

**Albany Common Council  
Memorandum in Support of Legislation**

**Resolution Number: 21.31.20R**

**Sponsor(s):** Council Member Conti

**Title:** RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST

**Purpose:** To consent to the remission of fines and penalties associated with an inadvertent delinquent 2018 property tax bill.

**Summary:** Consents to the remission of penalties and fees associated with a delinquent 2018 property tax bill for 286-288 Lark Street in accordance with Sec. 1182 of the NYS Real Property Tax Law (RPTL).

**Justification:** As recited in the text of the subject resolution, the delinquent payment of the 2018 tax bill occurred through discrepancies that were no fault of the property owner, who is otherwise in good standing with regard to payment of property taxes. The NYS RPTL provides a mechanism to remedy such situations, in this case it would be appropriate and justified to relieve the owner of penalties and fees associated with a late payment. The emission of penalties and fees does not effect the payment of the property tax liability which is payable in full.

**Fiscal Impact:** Estimated interest and penalties subject to remission would be under \$2,000.

**Effective Date:** Immediate

**Council Member**

**introduced the following:**

**Resolution 22.31.20R**

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 BUDGET**

**WHEREAS**, Section 604(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary total that occurs outside of those described in the duly adopted budget must be consented to by the Common Council; and

**WHEREAS**, the City's Budget Director has requested amendments to the 2020 proposed budget as follows:

From:	A.9000.7861	\$48,628	Health Insurance -Retirees
	A.9000.7810	\$48,628	NYS Employee Retirement
To:	A.3620.7000	\$77,525	Salaries
	A.3620.7801	\$5,931	Social Security
	A.3620.7199	\$13,800	Overtime

**WHEREAS**, a union contract settlement agreement has been reached between the City of Albany and the Civil Service Employees Association, Inc., AFSCME, Local 1000, AFL-CIO affecting the salaries and benefits of the City's Buildings and Code Inspectors for the term of January 1, 2020 to December 31, 2021.

**WHEREAS**, the new salary totals result from a negotiated 12% increase for the period of January 1, 2020 through December 31, 2020 and an additional 2% increase to take place for the period of January 1, 2021 through December 31, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany consents to the transfer of funds affecting the salary totals for various positions as detailed above for the 2020 budget year.

**Albany Common Council  
Memorandum in Support of Legislation**

**TO:** Danielle Gillespie, City Clerk  
**FROM:** Jared Pellerin, Assistant Corporation Counsel  
**RE:** Supporting Memorandum  
**DATE:** February 12, 2020

**RESOLUTION NUMBER 22.31.20R**

**TITLE**

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 BUDGET**

**GENERAL PURPOSE OF LEGISLATION**

Budget transfer to reflect agreement made during union negotiations.

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

Pursuant to the City Charter the Council must consent to the transfer of funds that effect salary totals which occur outside of the Budget process.

**EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE**

N/A

**SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)**

N/A

**SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)**

N/A

**FISCAL IMPACT(S)**

Increase in salaries for Buildings and Codes Inspectors.