

This meeting is being held in accordance to Governor Cuomo's Executive Order and other Federal and State Orders that impact in-person attendance at public meetings, if applicable orders expire or are revoked before September 24, 2020, this will be an in-person meeting in City Hall, please check our website and Facebook for updates. Please submit your public comment via email [commoncouncil@albanyny.gov](mailto:commoncouncil@albanyny.gov) or on our website <https://www.albanyny.gov/Government/CityOfficials/CommonCouncil.aspx> by **Thursday, September 24, 2020 12pm**. These comments will be shared with members and/ or read for the record at the meeting. The meeting will be held using Zoom and streamed through the Albany Common Council's Facebook. To stream this video please visit: <https://www.facebook.com/albany.commoncouncil>. If we experience any technical difficulties on Facebook, the video will be streamed to YouTube: [https://www.youtube.com/channel/UC-rQHp1fBLPcdk\\_4N6J4XbQ](https://www.youtube.com/channel/UC-rQHp1fBLPcdk_4N6J4XbQ)



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

**DATE: Thursday, September 24, 2020**

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

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

**DISCUSS PRE-BUDGET RELEASE BREAKDOWN**

**LOCAL LAW K OF 2020**

**A LOCAL LAW AMENDING SECTION 3 (SCOPE) OF ARTICLE I (REMOVAL OF GARBAGE) OF CHAPTER 313 (SOLID WASTE) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO BILLING OF THE FEE FOR CURBSIDE COLLECTION OF WASTE**

**ORDINANCE NUMBER 16.82.20**

**AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO WILLIAM CHAPMAN OF A CITY-OWNED VACANT LOT AT 109 THIRD STREET**

**PUBLIC COMMENT PERIOD: YES**

**AMENDED 09/11/20**

Council Member \_\_\_\_\_ introduced the following:

**LOCAL LAW K OF 2020**

**A LOCAL LAW AMENDING SECTION 3 (SCOPE) OF ARTICLE I (REMOVAL OF GARBAGE) OF CHAPTER 313 (SOLID WASTE) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO BILLING OF THE FEE FOR CURBSIDE COLLECTION OF WASTE**

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

**Section 1.** Section 3 of Article I of Chapter 313 of Part II of the Code of the City of Albany is hereby amended to read as follows:

**§ 313-3 Scope**

- C. Bills for curbside collection program fees. Bills for curbside collection program fees shall be prepared and sent to each owner annually, ~~starting February 1 of each calendar year; provided, however, that for calendar year 2017 and thereafter, bills may be prepared and sent to each owner in the same manner as water and sewer charges are now billed, distributed and collected.~~ Such bill shall be included with the property tax bill sent to each property owner in January.
- D. Penalties for nonpayment. ~~After three months of nonpayment, a property owner who fails to pay charges that have been established and imposed for the curbside collection program, a penalty of \$50 per unit will be added to the base curbside collection fee~~ The penalty for late or non-payment of curbside collection program fees in the City of Albany shall be: 4% in the first month or fraction thereof, for any amount of the curbside collection program fee that is not timely received by the City Treasurer, in whole or in part. After the first month of late payment, the penalty shall be an additional 1% in each succeeding month or fraction thereof.
- G. All curbside collection program charges, and penalties and interest thereon shall be a lien upon the real property ~~benefited by the~~ for which any curbside collection program charge or penalty was not paid, from the date that the fee is due and payable, and such lien shall be prior and superior to every other lien or claim, except the lien of an existing tax or local assessment. The Treasurer shall certify to the Common Council the amount of any such lien which has not been paid at the time and in the manner prescribed, with a description of the real property affected thereby, and the Common Council shall include such amount in the annual tax levy and shall levy the same upon the property in default.

**Section 2.** This local law shall take effect upon public hearing, final passage, and filing with the Secretary of State; provided, however, that the amendments made by this Local Law shall not affect the expiration of, and shall expire at the same time and manner as provided in section 5 of L.L. No. 1-2016.

**APPROVED AS TO FORM  
THIS 7<sup>th</sup> DAY OF AUGUST, 2020**

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**Corporation Counsel**

**TO:** Danielle Gillespie, City Clerk

**FROM:** Brett Williams, Esq., Sr. Assistant Corporation Counsel

**RE:** Request for Common Council Legislation  
Supporting Memorandum

**DATE:** August 6, 2020

**SPONSOR:** Council Member \_\_\_\_\_

## **LOCAL LAW K of 2020**

### **TITLE**

A LOCAL LAW AMENDING SECTION 3 (SCOPE) OF ARTICLE I (REMOVAL OF GARBAGE) OF CHAPTER 313 (SOLID WASTE) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO BILLING OF THE FEE FOR CURBSIDE COLLECTION OF WASTE

### **GENERAL PURPOSE OF LEGISLATION**

As the law enacting the waste collection fee law is currently written, the Treasurer's Office produces and sends a bill for the fee to each owner of each property subject to it. This requires a great deal of time, effort, and work for the Treasurer's Office.

The Treasurer's Office has explored and found a way to attach waste collection fee bills to property tax bills, which go out in January. This will save the Treasurer's Office a great deal of work and will mean that residents will receive one less separate bill from the City. This should increase the rate of on time payments of the fee.

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

This local law does away with the separate bill for the waste collection fee that property owners currently receive and instead states that "Such bill shall be included with the property tax bill sent to each property owner in January."

The waste collection fee law as currently written has its own fine structure for late or non-payment of the fee. Since billing is being aligned with property tax bills, this local law brings penalties for non-payment in line as well. Waste collection fee penalties will now mirror the Code's language on penalties for late or non-payment of property taxes in § 333-33.2 (B).

### **FISCAL IMPACT**

This local law will likely increase compliance with and payment of the waste collection fee. However, the change to the structure of the late fees could have some budgetary impact, into which the Treasurer's Office and Budget are currently looking.

**Council Member Robinson introduced the following:**

**Ordinance Number 16.82.20**

**AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO WILLIAM CHAPMAN OF A CITY-OWNED VACANT LOT AT 109 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 109 Third Street, parcel identification number 65.65-5-56, be sold at private sale to William Chapman.

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 31<sup>ST</sup> DAY OF JULY, 2020**

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**Corporation Counsel**

**To:** Danielle Gillespie, City Clerk

**From:** Sarah Valis, Assistant Corporation Counsel, Brett Williams, Senior Assistant Corporation Counsel

**Re:** Request for Common Council Legislation  
Supporting Memorandum

**Date:** July 24, 2020

**ORDINANCE NUMBER 16.82.20**

**TITLE:**

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO WILLIAM CHAPMAN OF A CITY-OWNED VACANT LOT AT 109 THIRD STREET

**GENERAL PURPOSE OF LEGISLATION**

The owner of 105 Third Street would like to purchase the lot to expand his yard. All relevant departments signed off on the sale at the July 23, 2020 Technical Committee Meeting and have no objections to the sale.

**NECESSITY FOR LEGISLATION**

Sale of city owned property requires Council approval.

**SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION**

This sale involves 0.08 acres of City-owned property located at 109 3<sup>rd</sup> Street, otherwise identified tax map parcel number 65.65-5-56. The property is currently on the assessment roll with a full market value of \$2,500.00. The parcel's property record card is included herewith.

**FISCAL IMPACT(S)**

The property will be sold for approximately \$2,500.00, which is the property's full market value according to the assessment roll.