



MINUTES OF A REGULAR MEETING MONDAY, JUNE 7, 2021

The Common Council was convened at 7:13 p.m. and was called to order by President Ellis. This meeting was held following Governor Cuomo’s executive order 202.1 and it live-streamed on [Facebook](#) using Zoom as the meeting platform. If we experience any technical difficulties on Facebook, the video will be streamed to [YouTube](#).

The roll being called, the following answered to their names: Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Also present was the following staff: Danielle Gillespie, John-Raphael Pichardo, and Brett Williams

Council President Ellis led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Anita Thayer, 196 Mt. Hope Dr., Albany, NY (Local Law C)
2. Marco Flagg, 500 Park Ave., Albany, NY (Disparities & Inequalities in the City of Albany)
3. Alana Klein, 214 Jay St., Albany, NY (Gun Violence)
4. Thomas Mueller, 22 Tremont St. 1F, Albany, NY (Local Law C)

After the time period for public comment expired, the President declared the Public Comment Period closed. The President also made mention that the Common Council had received and reviewed the written comments that were submitted for consideration.

Approval of Minutes

President Pro Tem Kimbrough made a motion to approve the minutes of May 3, 2021 and May 17, 2021 meetings of the Council, which was duly seconded by Hoey, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

Council Members Johnson, Anane and Hoey noticed the introduction of Local Law L of 2021, which was held for further consideration:

LOCAL LAW L of 2021

A LOCAL AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO CREATING A PUBLIC SAFETY COMMISSION

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

Section 1. Article XI (General Provisions) of Part 3 (Department of Public Safety) of Chapter 42 (Departments and Commissions) of Part I (Administrative Legislation) of the Code of the City of Albany is hereby amended to read as follows:

Section 42-69 Legislative Intent.

The City of Albany envisions a Commission of Public Safety that decouples public safety from policing, centers community voices, and ends systemic racism. The Commission embraces the four pillars of Procedural Justice: treating people with dignity and respect; giving citizens a voice during encounters; being open and transparent in decision-making; and conveying trustworthy motives. The Commission of Public Safety will ensure the elevation of the concepts of community policing into the practice of public safety. A guiding principle of the public safety commission is Sanctity of Life: that at the core of an officer’s responsibilities is the duty to protect all human life and physical safety.

Section 42-70 Definitions

Commission of Public Safety

Shall mean the public body tasked with overseeing and running the Department of Public Safety.

Commissioner(s)

Shall mean a member of the Commission of Public Safety.

Chief of Police

Shall mean the Chief of Police of Albany Police Department

Section 42-71 Commission Established; appointment of members; Qualification.

- A. There is hereby established a Commission of Public Safety comprised of nine (9) members, five of whom shall be appointed by the Common Council and four of who shall be appointed by the Mayor. Members shall serve for a term of three years. All Commission members must be residents of the City of Albany.

- B. Candidates for the Commission of Public Safety shall be subject to a public hearing prior to commencement of their term. Reappointments shall be subject to a public hearing. Candidates shall be present at the public hearing.
 - 1. Notice of such public hearing shall circulate to the media no less than ten (10) calendar days prior to the scheduled public hearing. Such notice shall state and

include the time, place, and that all are welcome to submit comments and questions regarding the candidacy of the nominee(s).

- C. Commissioners shall receive compensation that shall be set in the budget.
- D. Current employees of the City of Albany and their immediate relatives shall not be eligible to serve as a Commissioner.
- E. Former employees and their immediate relatives of the Albany Police Department shall not be eligible to serve as a Commissioner.

Section 42-71.1 Powers and Duties

The Commission of Public Safety:

- A. Shall recommend a budget to Mayor that the Mayor will consider for inclusion in the general budget annually, as prescribed by the Charter of the City of Albany.
- B. May establish advisory committees, standing, or ad-hoc committees, panels, and/or host forums and public hearings as the Commission deems necessary.
- C. Shall set departmental practices in recruiting, hiring, promoting and disciplining, all in accordance with statutory authority, and may make recommendations to the Mayor and Common Council regarding practices, procedures, policy and planning.
- D. Shall require individual Commissioners to excuse themselves from participating in discussions or decision-making in which any item, in the execution of their duties, presents a personal, professional, or financial conflict of interest.
- E. Shall work in conjunction with Community Police Review Board (CPRB) in accordance of Part 33 of Chapter 42 of this Code.
- F. Shall work collaboratively with the Chief of Police.
- G. Shall implement the reforms and recommendations of the Albany Policing Reform and Reinvention Collaborative Plan as adopted by the Common Council in Resolution 26.31.21R and any subsequent amendments thereto.

Section 2. This Local Law shall go into effect upon passage, public hearing, and filing with the Secretary of State.

President Pro Temp Kimbrough referred Local Law L of 2021 to the Public Safety Committee

President Pro Temp Kimbrough noticed the introduction of Local Law M of 2021, which was held for further consideration:

LOCAL LAW M OF 2021

A LOCAL LAW AMENDING ARTICLE VIIB (ALBANY POLICE DEPARTMENT INTERACTIONS) OF PART 1 (DEPARTMENT OF POLICE) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF PART I (ADMINISTRATIVE LEGISLATION) OF THE ALBANY CITY CODE WITH REGARD TO THE USE OF CHEMICAL WEAPONS AND KINETIC ENERGY MUNITIONS ON CIVILIAN POPULATIONS

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

Section 1. Article VIIB (Albany Police Department Interactions) of Part 1 (Department of Police) of Chapter 42 (Departments and Commissions) of Part I (Administrative Legislation) of the Albany City Code is hereby amended by adding a new section 42-54.3 to read as follows:

Section 42-54.3. Use of Chemical Weapons and Kinetic Energy Munitions

A. Use of Chemical Weapons and Kinetic Energy Munitions Policy.

(1) The Chief of Police, or if there is one, the Commissioner of Public Safety, shall establish a written policy to prohibit the use of Chemical Weapons and Kinetic Energy Munitions by any member of the Albany Police Department on civilian populations, except for:

(a) The use of pepper spray as defined herein;

(b) In circumstances where a person is being restrained against their will, as defined in Penal Law §135.00, where significant bodily injury is clearly threatened against such individual, and the Chief of Police or a Deputy Chief of Police present on the site determined that there is no alternative to the use of chemical weapons to secure the safety of the person being so restrained and adequate notice is given to individuals occupying indoor or outdoor spaces in the vicinity to allow them to protect themselves against exposure;

(c) Circumstances in which the Chief of Police or Deputy Chief of Police is on site at a situation in which eleven or more persons are present and such Chief of Police or Deputy Chief of Police confirms that:

(i) such persons are engaging in actions that meet the elements of section 240.06 (1) of the New York State Penal Law;

(ii) no alternative to the use of Chemical Weapons and/or Kinetic Energy Munitions is available to enable the Albany Police Department to secure the safety of people in the immediate vicinity of the riot;

(iii) when deployed in a residential area, the use of Chemical Weapons and/or Kinetic Energy Munitions is absolutely necessary to protect lives;

- (iv) the Albany Police Department has provided two notifications to the public in the immediate vicinity that Chemical Weapons and/or Kinetic Energy Munitions are about to be deployed; and
 - (v) at least one Emergency Medical Technician is present at the scene of the situation.
 - (d) However, neither Chemical Weapons nor Kinetic Energy Munitions shall be deployed against any individual or group of individuals who are engaging in First Amendment Activities, as defined in paragraph (3) of subsection (B) of this section.
 - (2) Prior to the establishment of such policy, the Chief of Police, or if there is one, the Commissioner of Public Safety, shall present such policy to the Community Police Review Board and shall consider any modifications as recommended by such Board.
 - (3) Such policy shall be consistent with the limitations in this section and shall be established within sixty (60) days of the enactment of this law.
 - (4) Whenever either Chemical Weapons or Kinetic Energy Munitions are deployed by any member of the Albany Police Department, the Chief of Police shall submit a Use of Force Report to the Public Safety Committee of the Common Council within five (5) business days of such use of Chemical Weapons or Kinetic Energy Munitions. The Public Safety Committee shall convene as soon as practicable after the submission of such Use of Force Report to review the use of such weapons and/or munitions. The following shall apply to all meetings of the Public Safety Committee of the Common Council at which Use of Force Reports dealing with the use of Chemical Weapons and/or Kinetic Energy Munitions are discussed:
 - (a) The Chief of Deputy Chief who authorized the use of Chemical Weapons or Kinetic Energy Munitions at issue shall attend the meeting at which the Public Safety Committee reviews the Use of Force report to explain the decision to deploy Chemical Weapons or Kinetic Energy Munitions.
 - (b) The Public Safety Committee may make a finding as to whether Chemical Weapons and/or Kinetic Energy Munitions were deployed, in the instance at issue, in a manner consistent with or in violation of the policy laid out in this section. If the Public Safety Committee determines that Chemical Weapons or Kinetic Energy Munitions were deployed in a manner inconsistent with such policy, the Public Safety Committee can make a recommendation to the Common Council to ban such Chemical Weapons and/or Kinetic Energy Munitions completely.
- B. Definitions. For the purposes of this section, the following terms shall have the following meaning:

- (1) Chemical Weapons. Any type of device containing toxic chemicals designed to be launched or thrown as a projectile or otherwise released in the area of civilian populations, in order to cause temporary or permanent incapacitation, injury or trauma to the intended target, through the action of such chemicals as an eye, throat, respiratory, and/or skin irritant. The term specifically includes, but is not limited to, any item commonly referred to as or having similar effects to “tear gas.”
- (a) The term “chemical weapon” shall not apply to the use of pepper spray contained in liquid spray canisters of a volume no greater than 0.75 ounces when used to temporarily control a specific individual a police officer reasonably believes to be in the process of committing a crime that endangers other people and only when such agent is released in compliance with department policies and New York State law relating to the use of force and under circumstances that reasonably assure others in the vicinity are not affected by the use of such spray.
- (2) Kinetic Energy Munitions. Any type of device designed to be launched from any device as a projectile, in order to cause temporary pain, injury, irritation, disability, incapacitation or trauma to the intended target. The term specifically includes, but is not limited to, any item commonly referred to as “impact rounds” or “rubber bullets.”
- (3) First Amendment Activities. Any demonstrations, picketing, speechmaking, marching, holding vigils or religious services and all other like forms of conduct that involve the communication or expression of views or grievances, engaged in by one or more persons.

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

President Pro Temp Kimbrough referred Local Law M-2021 to the Public Safety Committee

Council member Flynn noticed Local Law K of 2021 (**A LOCAL LAW AMENDING ARTICLE I (PUBLIC GROUNDS DESIGNATED AS PARKS; GOVERNMENT AND CARE OF PARKS AND PARKWAYS) OF CHAPTER 251 (PARKS AND RECREATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO ALIENATION OF CERTAIN PARKLAND WITHIN LINCOLN PARK, DISCONTINUANCE OF A RIGHT OF WAY, AND DEDICATION OF REPLACEMENT PARKLAND**) as follows, asked for passage and a roll call vote thereon:

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was ADOPTED:

The motion passed by the following vote of all Council Members present voting in favor thereof:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 13 Negative 0 Abstain 0

President Pro Tem Kimbrough held the remaining Local Laws on the pending agenda.

REPORTS OF STANDING COMMITTEES:

Planning, Economic Development, and Land Use: Chair Fahey discussed that the committee met to discuss USDO amendments on June 1st and will be meeting June 15th to continue reviewing the USDO amendments. The committee met on Thursday, June 3rd to interview potential members of the municipal broadband commission and will meet on June 9th to continue interviews to the commission.

General Services, Health and Environment Committee: Chair O’Brien discussed today’s meeting of the Ad Hoc Capital Hills Golf Course Subcommittee and stated he heard from the Commissioner of the Department of General Services regarding reissuing a Request for Proposals (RFP) for athletic fields due to some confusion with the previous RFP and asked that copies of the RFP be sent to Council Members before it’s issued to the public. He discussed that within DGS’s goals from the 2021 budget it talks about the creation of a golf course management reorganization plan that would be fully implemented in 2021 and requested the plan from DGS. He discussed that the General Services, Health & Environment committee would be meeting June 8th at 5:30pm to discuss the initiative for backyard composting and to discuss Resolution 44.51.21R renaming a portion of Clinton Avenue in honor of Benjamin Garland. The committee would also discuss Ordinance 15.52.21 regarding the opening, repairs of sidewalks, streets and other pavement.

Law, Buildings and Code Enforcement: Chair Igoe discussed that the committee would be meeting on June 14th to discuss Local Law H and I.

Parks, Recreation and Family Services: Chair Flynn discussed that the committee met on May 19th to discuss Local Law K, which the Council just passed. He stated the committee discussed programs for youth. He encouraged Council Members to go to the website to see the various programs the City has to offer which is accessible to city residents to sign up and work for as well. Chair Flynn discussed the committee would be meeting on June 23rd to discuss Resolution 49.52.21R about the Capital Lights in the Park.

Public Safety – Chair Kimbrough discussed that the committee met on May 27th to discuss the Albany Citizen Police Academy curriculum and to address the allegation that the curriculum was racist by discussing the complaint with the head of the CPRB. The committee also discussed some long and short term steps to try to rectify that issue and the conversation will continue.

CONSIDERATION OF ORDINANCES

Council Member Fahey and Anane noticed the introduction of Ordinance 17.61.21 as follows, which was held for further consideration:

ORDINANCE 17.61.21

AN ORDINANCE AMENDING ARTICLE VA (NOTICE OF VIOLATION) OF CHAPTER 313 (SOLID WASTE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SHORTENING THE COMPLIANCE PERIOD FOR CODE VIOLATIONS RELATED TO HEALTH AND SAFETY

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

Section 1. Subsection (B) of section 313-51.1 (Responsibility of property owners; action by City; costs of abatement; hearing) of Article VA (Notice of Violation) of Chapter 313 (Solid Waste) of Part II (General Legislation) the Code of the City of Albany is hereby amended to read as follows:

B. Upon complaint, on his or her own motion and after inspection of the property, the Commissioner of the Department of General Services or his or her designee shall notify the property owner or person occupying or having control of the property, as hereinafter provided, of any conditions on the property or sidewalk violating the provisions of Articles IV and/or V of this chapter and require compliance within five calendar days from the date such notice was mailed or within three calendar days of personal service of such notice is said notice is personally served upon the property owner, authorized agent or person or entity in control of the property. However, the Commissioner or their designee may require immediate compliance when he or she determines that a condition violating the provisions of Articles IV and/or V of this chapter exists and such condition poses a threat to the health and safety of the building's occupants or the general public, and the owner or person occupying or having control of the property is persistently non-compliant with subsection A of this section.

(1) Upon receiving a complaint, including but not limited to "See Click Fix," the Commissioner or their designee shall inspect the property or properties within three business days.

Section 2. Subsection D of section 313-51.1 (Responsibility of property owners; action by City; costs of abatement; hearing) of Article VA (Notice of Violation) of Chapter 313 (Solid Waste) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

D. Hearing. The notice required herein shall indicate that a request for a hearing may be made by the owner of the property alleged to be in violation; which must be made and received by the Commissioner before the expiration of the five-day period set forth in Subsection B, or, in the event that the Commissioner or their designee has determined that an alleged violation has warranted immediate compliance under subsection B of this section, a request for a hearing must be made as soon as is practicable. Such request must either be delivered personally to the Department of General Services or mailed by certified mail to the Commissioner. Upon such request duly made and received, a hearing will be held before the Commissioner or a designated officer at a time, date and place set by written notice sent to the owner by regular mail. The hearing shall be held within seven calendar days following receipt of the request and at least two days' notice of the hearing shall be given to the owner. The owner or owner's agent shall be given an opportunity to present evidence to be heard during the hearing. Within five days of the conclusion of the hearing, the notice shall be affirmed, amended, modified or rescinded.

Section 3. This ordinance shall take effect 30 days after enactment.

President Pro Tem Kimbrough referred Ordinance 17.61.21 to Law, Buildings, and Code Enforcement for further consideration

Council Member Doesschate noticed the introduction of Ordinance 18.61.21 as follows, which was held for further consideration:

ORDINANCE 18.61.21

ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) IN RELATION TO INCENTIVES FOR DEVELOPERS TO USE ENERGY EFFICIENT AND LOW IMPACT DESIGNS

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

Section 1. Paragraph (ii) (Low-impact development) of subdivision (a) (Incentives) of subsection (4) (Incentives and affordable housing requirements) of section 375-401 (Dimensional Standards) of Article IV (Development Standards) of Chapter 375 of the Code of the City of Albany (Unified Sustainable Development Ordinance) is hereby amended to read as follows:

(ii) Low-impact development. New development or redevelopment of a site that incorporates a green (vegetated) roof designed so that off-site flow of the first one inch of rainfall during the first 24 hours after rainfall ends is reduced by at least 50 percent shall receive the following benefits:

- A. The project may reduce any required building setback from any zoning district other than a residential zoning district by 20 percent (provided that the required reduction in off-site water flow is still achieved); and
- B. The project may increase the maximum height of any primary building (or part of a primary building) located more than 100 feet from a Residential zoning district other than the R-M Districts by one story.
- C. The Low-Impact Development incentives detailed above shall be suspended and not available for new development or redevelopment applications submitted between June 30, 2019 and June 30, ~~2024~~ 2022.

Section 2. This ordinance shall take effect immediately.

President Pro Tem Kimbrough noticed the introduction of Ordinance 19.61.21 as follows, which was held for further consideration:

ORDINANCE 19.61.21

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO 1053 BREWING, LLC OF AN EASEMENT IN THE CITY OF ALBANY OVER A PORTION OF THE CITY RIGHT-OF-WAY OF BRIDGE STREET FOR THE CONSTRUCTION AND MAINTENANCE OF AN ADA COMPLIANT RAMP AND DECK AT DRUTHERS BREWING COMPANY

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

Section 1. It is hereby authorized that the City of Albany grants an easement to 1053 Brewing, LLC over a portion of the Bridge Street right-of-way in the area of 1053 Broadway in the City of Albany for the purpose of construction and maintenance of an ADA compliant ramp and deck as requested by the property owner, and as described more fully in the legal description attached hereto.

Section 2. The form, content, terms and conditions of such easement shall be approved by the Corporation Counsel.

Section 3. The Grantee shall not hinder, interfere with, prevent, delay, obstruct, or adversely affect the Grantor in the reasonable exercise of its governmental operations or functions.

Section 4. This ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 19.61.21 to Finance, Assessment, and Taxation for further consideration

President Pro Tem Kimbrough held the pending Ordinances on the agenda for further consideration

CONSIDERATION OF RESOLUTIONS

Council Member Robinson, with the support of Council President Ellis, noticed the introduction of Resolution 50.61.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 50.61.21R

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RECOGNIZING JUNE 19, 2021 AS “JUNETEENTH INDEPENDENCE DAY” IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH NEWS OF THE END OF SLAVERY REACHED THOSE ENSLAVED IN THE SOUTHWESTERN STATES

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular, the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863;

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and the enslaved were free;

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations;

WHEREAS, African Americans from the Southwest have continued the tradition of observing Juneteenth Independence Day for more than 150 years;

WHEREAS, Juneteenth Independence Day began as a holiday in the State of Texas and is now celebrated in 46 States and the District of Columbia as a special day of observance in recognition of the emancipation of all slaves in the United States;

WHEREAS, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;

WHEREAS, the faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race;

WHEREAS, slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

WHEREAS, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany: (1) designates June 19, 2021, as “Juneteenth Independence Day”; (2) recognizes the historical significance of Juneteenth Independence Day to the United States; (3) supports the continued nationwide celebration of Juneteenth Independence Day to provide an opportunity for the people of the City of Albany to learn more about the past and to better understand the experiences that have shaped the United States; and (4) recognizes that the observance of the end of slavery is part of the history and heritage of the United States.

The following Council Member(s) spoke prior to passage Robinson.

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED:

** Resolution 50.61.21R was co-sponsored by All Council Members*

Affirmative – Anane, Balarin, Conti, Doeschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 13 Negative 0 Abstain 0

Council Member Conti noticed the introduction of Resolution 51.61.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 51.61.21R

RESOLUTION OF THE COMMON COUNCIL RECOGNIZING AND CELEBRATING JUNE AS LGBTQ PRIDE MONTH IN THE CITY OF ALBANY

WHEREAS, the month of June is nationally recognized and celebrated as Lesbian, Gay, Bisexual, and Transgender Pride Month in commemoration of the 1969 Stonewall Uprising in New York City which marks the birth of the modern-day LGBTQ human rights movement; and

WHEREAS, the Stonewall Uprising also gave a new birth to local LGBTQ political activism and visibility throughout the country including, in 1970, the founding of the Tri-Cities Gay Liberation Front which, two years later, evolved into the Capital District Gay and Lesbian Community Council and is today known as the Pride Center of the Capital Region; and

WHEREAS, Albany is the home of the oldest continuously operating LGBTQ community center in the nation, located at 332 Hudson Avenue, and was the site, in 1971, of the first march on a state capital for lesbian and gay civil rights; and

WHEREAS, the City of Albany and the Albany Common Council, in particular, has been at the forefront of governments recognizing and affirming the basic civil and human rights of the LGBTQ community; and

WHEREAS, June would ordinarily feature a month of LGBTQ Pride parades, festivals, and celebrations throughout the country, including the Capital Pride Parade and Festival and “*Say it Loud! Black and Latino Gay Pride*” both in Washington Park; and

WHEREAS, due to the COVID-19 Pandemic these physical celebrations were not celebrated in person in 2020, but limited celebrations, with safety in place, are planned for 2021 throughout the Capital Region; and

WHEREAS, the City of Albany is home to two important organizations that provide important services to the Capital Regions LGBTQ community – the Pride Center of the Capital Region and, In Our Own Voices – serving the LGBTQ People of Color community; and

WHEREAS, June is a special time of the year to pause, celebrate and reflect on the diversity of the LGBTQ community and the strides and achievements that have been made since the 1969 Stonewall Uprising; and

WHEREAS, it is appropriate for this body to pause in its deliberations to recognize and celebrate the month of June as LGBTQ Pride Month, and to recognize the Pride Center and In Our Own Voices for the important work they do.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Albany does hereby recognize and celebrate the contributions of the LGBTQ community to our city and does further recognize and celebrate the month of June as LGBTQ Pride Month in the City of Albany; and

BE IT FINALLY RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to the Pride Center of the Capital Region and In Our Own Voices upon its adoption.

The following Council Member(s) spoke prior to passage Conti

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED:

** Resolution 51.61.21R was co-sponsored by All Council Members*

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 13 Negative 0 Abstain 0

President Pro Tem Kimbrough made a motion to add by majority consent Resolutions 52.61.21R and 53.61.21R. It was duly seconded and approved by unanimous voice vote, the resolutions were added to the agenda for consideration.

Council Member Anane, with the support of Council President Ellis, noticed the introduction of Resolution 52.61.21R (MC) as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 52.61.21R (MC)

RESOLUTION OF THE COMMON COUNCIL DECLARING JUNE 4th, 2021 TO BE NATIONAL GUN VIOLENCE AWARENESS DAY AND PROCLAIMING JUNE 2021 AS NATIONAL GUNVIOLENCE PREVENTION MONTH IN THE CITY OF ALBANY

WHEREAS, protecting public safety in the communities we serve is the Common Council’s highest responsibility; and

WHEREAS, cities across the nation, including Albany, are working to end the senseless violence with evidence-based solutions; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, locally elected officials and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it and are best positioned to understand how to keep their citizens safe; and

WHEREAS, the pandemic facing America has drastically impacted communities and individuals sheltering in place which may result in situations where access to firearms results in increased risk in intimidated partner violence gun deaths, suicide by gun, and unintentional shootings; and

WHEREAS, According to the Centers for Disease Control, there were approximately 40,000 people killed by guns in the United States in 2019; and

WHEREAS, Gun-related deaths are the leading cause of death for American children, including approximately 3,400 gun-related homicides for 2019; and

WHEREAS, The New York State Department of Criminal Justice Services reports that in 2019, of the nearly 70,000 violent crimes committed in New York State, nearly 8,000 involved a firearm; and

WHEREAS, in 2020 in the City of Albany, 11 individuals were killed by gun violence and 130 people were hit by bullets; and

WHEREAS, the effects of gun violence extend far beyond those struck by a bullet; and

WHEREAS, It is imperative that there be greater public awareness of this serious issue including prevention, intervention, education and outreach; and

WHEREAS, to help honor the lives that are cut short and the countless survivors who are injured by the shootings every day, a national coalition of organizations has designated the first Friday of June 2021 (June 4, 2021) as the 7th National Gun Violence Awareness Day and anyone can join this campaign by pledging to Wear Orange on June 4, 2021, to help raise awareness about gun violence;

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Albany, New York renews its commitment to reduce gun violence and pledges to do all it can to keep firearms out of the wrong hands and to help keep our children safe and encourages the citizens of Albany to support efforts to prevent the tragic effects of gun violence and to honor and value human lives; and

BE IT FINALLY RESOLVED that the Albany Common Council declares June 4, 2021 to be National Gun Violence Awareness Day and June 2021 to be National Gun Violence Awareness Month in the City of Albany.

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED:

** Resolution 52.61.21R was co-sponsored by All Council Members*

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 13 Negative 0 Abstain 0

Council Member Conti noticed the introduction of Resolution 53.61.21R (MC) as follows, which was introduced and adopted by a voice vote

RESOLUTION NUMBER 53.61.21R (MC)

RESOLUTION OF THE COMMON COUNCIL CELEBRATING WASHINGTON PARK ON THE OCCASION OF ITS 150TH ANNIVERSARY

WHEREAS, in 1869 the State of New York passed a law that allowed the creation of a public park in Albany, New York, that would become today’s Washington Park; and

WHEREAS, Washington Park was created under the guidance of Albany city leaders in the 19th century who recognized the value and need to create, preserve, and protect public green space within the quickly growing city for the benefit, comfort, and enjoyment of its residents; and

WHEREAS, the space selected for the creation of today's Washington Park has been designated public space since the creation of the City's charter in 1686, making it among the oldest designated public-use spaces in the nation; and

WHEREAS, in 1868, even before the passage of the Park law, a group of city leaders secured the consulting services of Frederick Law Olmsted, the country's preeminent landscape architect, singularly regarded as the "father of landscape architecture," and Mr. Olmsted visited Albany in 1867 to assess the landscape. In December 1868 he submitted to the Commission a concept for Albany's Washington Park; and

WHEREAS, in 1870, protégés of Mr. Olmsted, designers John Bogart and John Yapp Culyer, were secured to design Washington Park, and by the end of 1872 designed much of the Park as we know it today, making Washington Park a remarkable Olmstedian-style park of historic interest; and

WHEREAS, the first phase of Washington Park was completed and the Park opened in the spring of 1871, and work on the remainder of the park—grading, leveling, installation of a drainage system, excavation for and creation of the lake, path laying, building construction, and planting—continued until the Park achieved its current 81-acre footprint in 1882; and

WHEREAS, the Park historically has been and again today is home to more than one hundred species of trees, including those in the families of oak, beech, birch, maple, ginkgos, pine, hemlock, cypress, redwood, larch, willow, ash, sycamore, alder, and elm, as well as a number of flowering trees and bushes. Beech and ginkgo specimens in the Park date to and likely before the Park's earliest days, 150 years ago, and many others are more than a century old and require careful professional oversight and care; and

WHEREAS, the Park has been and continues to be a habitat for diverse wildlife, including many hundreds of species of birds, aquatic life, and small mammals, and it is the responsibility of the City, in the name of good stewardship of natural resources and wildlife habitats, to protect the ecosystem of the Park, both for the good of the Park itself and its ecological importance in the wider environment; and

WHEREAS, from its inception, Washington Park has been a favored location for a variety of healthful recreational and athletic activities year round, including but not limited to walking and running, cycling, tennis, fishing, ice skating, and sledding, with additional activities introduced and accommodated over time as they became popular, including basketball, volleyball, skateboarding, yoga, and cross country skiing; and

WHEREAS, the historic character and significance of the Park and surrounding neighborhood merited the creation of the Washington Park Historic District on June 19, 1972, as designated by the United States Department of the Interior, and includes Washington Park as its central feature; and

WHEREAS, the National Park Service’s National Register of Historic Places is the official list of the nation’s historic places deemed worthy of preservation established by criteria of the National Preservation Act of 1966; and

WHEREAS, in 1999, Washington Park was named one of the nation’s 100 most important parks by the American Society of Landscape Architects; and

WHEREAS, in the 150 years since Washington Park’s opening, scientific research has advanced to support what the Park’s 19th-century progenitors and designers intuited, which is that time spent in nature, including in parks of Washington Park’s character, is measurably beneficial to one’s physical, mental, and emotional health and well-being; and

WHEREAS, the beneficial effects of environmental therapy for individuals being increasingly established, Washington Park is an important component of creating and maintaining an atmosphere of public health in Albany; and

WHEREAS, as a public park and a listee on the National Register of Historic Places, the City of Albany has the duty to be the most excellent steward of the Park by doing its utmost to protect its environment—including but not limited to its trees and shrubs, wildlife, and air quality—and ensure the free and equal access to all areas of the Park to all residents of Albany and visitors year-round, within its designated hours of operation, and in accordance with the established Rules and Regulations of the park: daily during the months of May, June, July, August, September and October, from sunrise to 11:00 pm, and during the other months of the year from sunrise to 10:00 pm;

NOW, THEREFORE, BE IT RESOLVED, that on the occasion of the 150th Anniversary of the opening of Washington Park, the Common Council does celebrate its establishment and its contribution to the health, wellbeing and place of recreation for the residents of the City of Albany; and

BE IT FURTHER RESOLVED, that the Common Council recognizes the responsibility of the City of Albany to be a good steward to protect and preserve this unique urban greenspace so that it may continue to thrive and serve the residents of the City of Albany; and

BE IT FINALLY RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to the Washington Park Conversancy.

The following Council Member(s) spoke prior to passage Conti

There being no discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED:

** Resolution 53.61.21R was co-sponsored by All Council Members*

Affirmative – Anane, Balarin, Conti, Doeschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 13 Negative 0 Abstain 0

President Pro Tem Kimbrough held the pending Resolutions on the agenda for further consideration

COMMISSIONER OF DEEDS

NONE

MISCELLANEOUS AND UNFINISHED BUSINESS

Council Member Hoey spoke about a relative and his girlfriend had an interaction with the police that was disrespectful. Council Member Hoey and his wife reached out to Deputy Chief Hogan and was able to watch the video of the interaction, which showed a different interaction than what was told to him.

Council Member O'Brien spoke about the Council passing legislation about the 150th anniversary of a park and also passed legislation regarding park alienation on the same night. He discussed Westland Hills park and plan that was approved back in December to utilize Westland Hills park entrance for commercial purposes after he and residents from the neighborhood spoke out against this plan. He discuss that the board overruled their objections. He discussed that the city had applied for parkland grants that was used to build that entrance many years ago. He discussed being told by Corporation Counsel that the ordinance sponsored by Council Member Hoey was unenforceable. He discussed feeling like some things were done in bad faith.

Council Member Robinson discussed the planning session for the Westland Hills Community Center scheduled for June 8th and the positive feedback he has received so far regarding this project.

Council Member Anane spoke about gun violence awareness in June. He discussed that many residents have been affected by gun violence and that it is spreading throughout the city. He discussed as the weather is warming up there have been a number homicides. He discuss the need for leadership and plan to address this issue. He discussed working with police department, key other stakeholders and the Gun Violence Task Force to develop policy. He discussed that all residents has the right to safe streets. He spoke about from the public "if you know something, say something."

Council President Ellis discussed the Garland family proposed street naming and the family having to bury the matriarch. He spoke about it starts at home with loving and caring for one another. He spoke on his fond memories of meeting and knowing Mrs. Garland and how she showed loved to everyone and would keep all the children in line. He discussed the barriers that Mrs. Garland broke down and believes that more people should take the torch started by Mrs. Garland. He discussed teaching each other to love each other as you love yourself. He spoke about looking inward as we try to find solutions.

ADJOURNMENT:

There being no further business, President Pro Tem Kimbrough made a motion to adjourn, which was duly seconded and adopted by unanimous voice vote. President Ellis declared the meeting adjourned at approximate 7:50pm.

CASHAWNA BURT

Deputy City Clerk of the City of Albany