



MINUTES OF A REGULAR MEETING MONDAY, JULY 19, 2021

The Common Council was convened at 7:08 p.m. and was called to order by President Ellis. If during the meeting technical difficulty was experienced the public was made aware that the meeting would be live-streamed to [YouTube](#).

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

Also present was the following staff: Cashawna Burt, John-Raphael Pichardo, and Laura Gulfo.

Council President Ellis led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Conor Gillis, 270 Hudson Ave. Apt. 4G, Albany, NY (Local Law F of 2021)
2. Judd Feinman, PO Box 11600, Albany, NY (Local Law F of 2021)
3. Paul Nichols, 637 New Loudon Rd., Latham, NY (Local Law F of 2021)
4. Susan Sommers, 6 Fiddlers Ln., Latham, NY (Local Law F of 2021)
5. Deborah Pusatere, PO Box 5104, Clifton Park, NY (Local Law F of 2021)
6. Hasson Harris Wilcher, 15 Harmony Hill Rd. Bldg 7 Apt. E, Albany, NY (Local Law F of 2021)
7. Bess Zafran, 203 Sycamore St., Albany, NY (Local Law F of 2021)
8. Catherine Kuubetesuri, 289 Hudson Ave, Albany, NY (Local Law F of 2021)
9. Mark Mishler, 58 S. Manning Blvd., Albany, NY (Local Law C and F of 2021)
10. Dr. Mary Panzetta, 293 S. Main Ave., Albany, NY (Resolution 64.72.21R (MC))
11. Anne Erling, 242 Woodlawn Ave., Albany, NY (Resolution 64.72.21R (MC))

President Pro Tempore Kimbrough made a motion to extend public comment period for an additional 30 minutes, which was approved by unanimous voice consent.

12. Tanique Williams, 25 Myrtle Ave, Albany, NY (Local Law F of 2021)
13. Rev. Peter Cook, 41 Greyledge Dr., Albany, NY (Local Law F of 2021)
14. Frederick Floss, 16 W. Meadow Dr., Albany, NY (Local Law F of 2021)
15. Gabriel Silva, 99 S. Lake Ave., Albany, NY 12208 (Local Law F of 2021)
16. Blue Carrekar, 1601 Broadway, Rensselaer, NY (Local Law F of 2021)
17. Ivette Alfonso, 149 Hackett Blvd., Albany, NY (Local Law F of 2021)

18. Betty Ann Benware, 85 Eileen St., Albany, NY (Local Law F of 2021)
19. Rev. Joe Paparone, 835 Washington Ave., Albany, NY (Local Law C and F of 2021)
20. Sandra Colatosti, 67 Aspen Circle, Albany, NY (Local Law F of 2021)

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 July 8, 2021 meetings of the Council, which was duly seconded, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

President Pro Tem Kimbrough made a motion to add by majority consent Local Law P of 2021. It was duly seconded and approved by unanimous voice vote, the local law was added to the agenda for consideration.

Council member Balarin noticed Local P of 2021 (MC) as follows:

LOCAL LAW P OF 2021 (MC)

A LOCAL LAW AMENDING ARTICLE XXIII (PROHIBITION OF EVICTION WITHOUT GOOD CAUSE) OF PART 2 (CITY COURTS ACT) OF CHAPTER 30 (COURTS AND LEGAL PROCEDURES) OF THE CODE OF THE CITY OF ALBANY AS ADDED BY LOCAL LAW F-2021 ENTITLED: “LOCAL LAW AMENDING PART 2 (COURTS AND LEGAL PROCEDURES) OF CHAPTE 30 (COURTS AND LEGAL PROCEDURES) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO EVICITION PROCEDURES” IN RELATION TO CERTAIN AMENDMENTS THERETO

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

Section 1. Subsection A of section 30-328 (Grounds for removal of tenants) of Article XXIII (Prohibition of Eviction Without Good Cause) and section 30-331 (Severability) of Part 2 (City Court Act) of Chapter 30 (Courts and Legal Procedures) of Part I (Administrative Legislation) of the Code of the City of Albany as added by Local Law F of 2021 as adopted by the Common Council is hereby amended to read as follows:

Article ~~XIII~~ XXIII Prohibition of Eviction without Good Cause

§ 30-328 Grounds for removal of tenants

- A. No landlord shall remove a tenant from any housing accommodation, or attempt such removal or exclusion from possession, notwithstanding that the tenant has no written lease or that the lease or other rental agreement has expired or otherwise terminated, except upon order of a court of competent jurisdiction entered in an appropriate judicial action or proceeding in which the petitioner or plaintiff has established one of the following grounds as good cause for removal or eviction:

- (1) The tenant has failed to pay rent due and owing, provided, however, that the rent due and owing, or any part thereof, did not result from a rent increase or pattern of rent increases which, regardless of the tenant's prior consent, if any, is unconscionable or imposed for the purpose of circumventing the intent of this article. In determining whether all or part of the rent due and owing is the result of an unconscionable rent increase or pattern of rent increases that is imposed for the purpose of circumventing this article, the Court may consider, among other factors, i) the rate of the increase relative to the tenant's ability to afford said increase, ii) improvements made to the subject unit or common areas serving said unit, iii) whether the increase was precipitated by the tenant engaging in the activity described at section 223-b (1(a)-(c) of the Real Property Actions and Proceedings Law, iv) significant market changes relevant to the subject unit, and v) the condition of the unit or common areas serving the unit, and it shall be a rebuttable presumption that the rent for a dwelling not protected by rent regulation is unconscionable or imposed for the purpose of circumventing the intent of this article if said rent has been increased in any calendar year by a percentage exceeding five percent;
- (2) The tenant is violating a reasonable obligation of their tenancy, other than the obligation to surrender possession, and has failed to cure such violation after written notice that the violation cease within ten days of receipt of such written notice, provided however, that the obligation of tenancy for which violation is claimed was not imposed for the purpose of circumventing the intent of this article;
- ~~(3) The tenant is committing or permitting a nuisance in such housing accommodation, or is maliciously or by reason of negligence damaging the housing accommodation; or the tenant's conduct, including but not limited to, smoking inside the residential unit where smoking inside the residential unit has been prohibited by the landlord and such prohibition has been communicated to the tenant, failing to dispose of waste created by the tenant's pet(s) from the property on which the residential unit is located in accordance with relevant laws, and causing the accumulation of excessive rubbish and/or garbage in the residential unit and common areas, is such as to interfere with the comfort of the landlord or other tenants or occupants of the same or adjacent buildings or structures; The tenant is committing or permitting a nuisance in such housing accommodation, common areas, or other areas of the property, or is maliciously or by reason of negligence damaging the housing accommodation, common areas, or other areas of the property; or the tenant's conduct is such as to interfere with the comfort of the landlord or other tenants or occupants of the same or adjacent buildings or structures, including but not limited to, smoking inside the residential unit where smoking inside the residential unit has been prohibited by the landlord and such prohibition has been communicated to the tenant, failing to dispose of waste created by the tenant's pet(s) from the property on which the residential unit is located in accordance with relevant laws, repeatedly engaging in activities that cause an unreasonable amount of noise or allowing others to do so without taking appropriate steps to mitigate such noise, and causing the accumulation of excessive rubbish and/or garbage in the residential unit and common areas;~~
(3) The tenant is committing or permitting a nuisance in such housing accommodation, common areas, or other areas of the property, or is maliciously or by reason of negligence damaging the housing accommodation, common areas, or other areas of the property; or the tenant's conduct is such as to interfere with the comfort of the landlord or other tenants or occupants of the same or adjacent buildings or structures, including but not limited to, smoking inside the residential unit where smoking inside the residential unit has been prohibited by the landlord and such prohibition has been communicated to the tenant, failing to dispose of waste created by the tenant's pet(s) from the property on which the residential unit is located in accordance with relevant laws, repeatedly engaging in activities that cause an unreasonable amount of noise or allowing others to do so without taking appropriate steps to mitigate such noise, and causing the accumulation of excessive rubbish and/or garbage in the residential unit and common areas;
- (4) Occupancy of the housing accommodation by the tenant is in violation of or causes a violation of law and the landlord is subject to civil or criminal penalties therefor;

provided however that the City of Albany or other qualified governmental entity has issued an order requiring the tenant to vacate the housing accommodation. No tenant shall be removed from possession of a housing accommodation on such ground unless the court finds that the cure of the violation of law requires the removal of the tenant and that the landlord did not, through neglect or deliberate action or failure to act, create the condition necessitating the order to vacate. In instances where the landlord does not undertake to cure conditions of the housing accommodation causing such violation of the law, the tenant shall have the right to pay or secure payment in a manner satisfactory to the court, to cure such violation provided that any tenant expenditures shall be applied against rent to which the landlord is entitled. In instances where removal of a tenant is absolutely essential to their health and safety, the removal of the tenant shall be without prejudice to any leasehold interest or other right of occupancy the tenant may have and the tenant shall be entitled to resume possession at such time as the dangerous conditions have been removed. Nothing herein shall abrogate or otherwise limit the right of a tenant to bring an action for monetary damages against the landlord to compel compliance by the landlord with all applicable laws;

- (5) The tenant is using or permitting the housing accommodation to be used for an illegal purpose;
- (6) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of making necessary repairs or improvements required by law or for the purpose of showing the housing accommodation to a prospective purchaser, mortgagee, or other person having a legitimate interest therein;
- (7) The landlord seeks in good faith to recover possession of a housing accommodation located in a building containing fewer than twelve units because of immediate and compelling necessity for their own personal use and occupancy as their principal residence, or the personal use and occupancy as principal residence of their partner, spouse, parent, child, stepchild, father-in-law or mother-in-law, when no other suitable housing accommodation in such building is available. This paragraph shall permit recovery of only one housing accommodation and shall not apply to a housing accommodation occupied by a tenant who is sixty-two years of age or older or who is a disabled person;
- (8) The landlord seeks in good faith to recover possession of any or all housing accommodations located in a building with less than five units to personally occupy such housing accommodations as their principal residence;
- (9) The owner-landlord has in good faith entered into a contract for the sale of the housing accommodation and such contract requires that the housing accommodation be transferred free and clear of any and all residential tenancy obligations as a condition of such sale where the owner-landlord has no shared financial or other interest with the potential buyer other than the sale of the housing accommodation in question and submitted sufficient proof to the court thereof

- (10) Where the tenant has refused in bad faith to enter into a written lease which has been offered in good faith to the tenant by the landlord, subject to the following:
- (a) The proposed written lease must have been offered to the tenant in writing on at least two occasions at least two weeks apart, ~~which such written offer to include, and~~ such written offer shall include:
- (i) an original and one copy of the proposed written lease, executed by the landlord or their designee;
- (ii) notice of the landlord's intention to pursue eviction if the tenant rejects the proposed written lease and/or does not enter into said lease within forty-five days of the initial offer and specifying that the landlord may pursue eviction at any time between the expiration of the 45 days and 120 days of the date of such offer;
- (iii) clear instructions to the tenant concerning the manner in which the tenant is to communicate to the landlord acceptance or rejection of the written lease; and
- (iv) Notice of any proposed increase in rent equal to or greater than 5% shall be provided in compliance with ~~RPL sect 226-C~~ section 226-C of the NYS Real Property Law;
- (b) the proposed written lease shall not supersede an existing, active lease to which the landlord and the tenant are parties;
- (c) The terms of the proposed written lease may not:
- (i) be unconscionable and/or mandate or proscribe activities not rationally related to the regulation of activities ~~which that would create a nuisance at the property, cause damage to the housing accommodation, common areas, or other parts of the property~~ or cause discomfort to the tenants or occupants of the same or adjacent buildings or structures, including, but not limited to activities described in subdivision (3) of subsection A(3) above; or
- (ii) substantially alter the terms any of any existing lease other than to provide reasonable clarification of the terms and conditions of the tenancy;
- (d) the proposed written lease shall not be offered for the purposes of circumventing this article;
- (e) the tenant shall be entitled to dismissal of any eviction petition brought for the tenant's refusal to enter into a lease according to these terms if:
- (i) the tenant consents to enter into the proposed written lease presented in the first offer pursuant to subparagraph (a) of this paragraph at any time prior to the earlier of the execution of the warrant of eviction or the good faith execution of an enforceable lease agreement between the landlord and a different party in an arms-length

transaction for the premises occupied by the tenant regardless of landlord's willingness to accept said consent at the time it is communicated; and/or

(ii) prior to the commencement of the eviction proceeding the tenant attempted in good faith to negotiate the terms of the proposed written lease without substantially altering the terms of the prior lease agreement and that the landlord refused in bad faith to engage in such negotiation; and/or

(iii) the tenant's failure to enter into the proposed written lease was due to a good faith failure to comprehend the terms of the proposed written lease;

(iv) the tenant is a victim of domestic violence as defined by NY Social Service Services Law §459-A and is unable to safely enter into the proposed written lease due to good faith concerns for the tenant's personal safety; and/or

(v) the proposed written lease includes an increase in rent or increase in the tenant's responsibility for recurring payments associated with the tenancy ~~which that is unconscionable or imposed for the purposes of circumventing the intent of this article~~ per would violate the terms or intent of subdivision (1) of subsection (A)(4), above;

(f) that any proceeding for eviction pursuant to this subsection shall have been commenced within 120 days of the proposed written lease first having been offered to the tenant, provided, however, the landlord may commence the process for execution of a lease pursuant to this subdivision by submitting a new or revised lease to the tenant that would recommence the 120 day time period for a potential eviction action pursuant to this subdivision.

§ 30-331 Severability.

If any provision of this ~~act~~ article, or any application of any provision of this article, is held to be invalid, that shall not affect the validity or effectiveness of any other provision of this ~~act~~ article, or of any other application of any provision of this article, which can be given effect without that provision or application; and to that end, the provisions and application of this article are severable.

Section 2. This local law shall take effect on the same date and in the same manner as Local Law F of 2021 as adopted by the Common Council after final passage, public hearing and filing with the Secretary of State.

No action was taken on Local Law P of 2021 (MC) because of the aging requirement.

Council member Balarin noticed Local Law F of 2021 (*As Amended 07/08/2021*) (**LOCAL LAW AMENDING PART 2 (COURTS AND LEGAL PROCEDURES) OF CHAPTER 30 (COURTS AND LEGAL PROCEDURES) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO EVICTION PROCEEDINGS**) as follows and asked for passage and a roll call vote thereon.

Prior to a roll call vote, Council member Hoey made a motion to amend Local Law F of 2021, which was duly seconded by Doesschate.

The following member(s) spoke on the motion to amend Local Law F of 2021 prior to a vote: Hoey, Johnson, O'Brien, Balarin, Doesschate, Flynn and Conti

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

Affirmative – Doesschate, Flynn, Hoey, Igoe, and O'Brien

Negative – Anane, Balarin, Conti, Fahey, Farrell, Frederick, Johnson, Kimbrough, and Love

Affirmative 5 Negative 9 Abstain 0

The following member(s) spoke before passage: Balarin, Anane, Johnson, Conti and O'Brien

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

**Local Law F of 2021 (As Amended 07/08/2021) was co-sponsored by Council members Anane, Fahey, Frederick, Johnson, and Kimbrough*

Affirmative – Anane, Balarin, Conti, Fahey, Farrell, Frederick, Johnson, Kimbrough, and Love

Negative – Flynn and Igoe

Present – Doesschate, Hoey, and O'Brien

Affirmative 9 Negative 2 Present 3 Abstain 0

Council member Conti noticed Local Law N of 2021 (**A LOCAL LAW REPEALING CHAPTER 20 (DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE) AND AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSION) TO ENACT A NEW PART 39 ENTITLED: "DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE"**) as follows, asked for passage a roll call vote thereon.

The following member(s) spoke before passage: Conti

**Local Law N of 2021 was co-sponsored by Council members Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, and Kimbrough*

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

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, and O'Brien

Affirmative 14 Negative 0 Abstain 0

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

REPORTS OF STANDING COMMITTEES:

Planning, Land Use and Economic Development Committee: Chair Fahey discussed the

upcoming meeting on July 20, 2021 to continue USDO proposed amendments.

Public Services Committee: Chair Kimbrough discussed the July 13, 2021 meeting of the committee regarding Local Law L and M of 2021 Ordinance 15.52.21 which remained held.

Parks, Recreation and Family Services: Chair Flynn discussed that the committee would be meeting on July 27, 2021 to discuss Resolution 49.52.21R(MC) Lights in the Park.

CONSIDERATION OF ORDINANCES

President Pro Tem Kimbrough held the remaining Ordinances on the pending agenda.

CONSIDERATION OF RESOLUTIONS

Council Member Love, noticed the introduction of Resolution 59.72.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 59.72.21R

A RESOLUTION SUPPORTING THE AFFORDABLE HOUSING PARTNERSHIP IN ITS APPLICATION TO THE NEW YORK STATE DEPARTMENT OF STATE FOR STATE ASSISTANCE IN FUNDING SHERIDAN HOLLOW PREDEVELOPMENT ACTIVITIES

WHEREAS, the Affordable Housing Partnership is requesting financial aid from the State of New York to assist in funding for Sheridan Hollow Predevelopment Activities in the City of Albany; and

WHEREAS, the Affordable Housing Partnership is applying to the New York State Department of State for funding under the Brownfield Opportunity Area Program; and

WHEREAS, the Affordable Housing Partnership is applying for these funding sources through the 2021 New York State Consolidated Funding Application Round; and

WHEREAS, the grant applications require that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the proposed application supports and advances the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the proposed application supports and advances the established goals of the Capital Region Economic Development Council and will have a significant regional impact.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby approve and endorse the application of the Affordable Housing Partnership to the New York State Department of State Brownfield Opportunity Area Program for funding to aid Sheridan Hollow Predevelopment Activities.

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

was **ADOPTED**:

** Resolution 59.72.21R was co-sponsored by Council Members Balarin, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, and Kimbrough*

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

Affirmative 14 Negative 0 Abstain 0

Council Member Johnson noticed the introduction of Resolution 60.72.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 60.72.21R

A RESOLUTION SUPPORTING THE BLUELIGHT DEVELOPMENT GROUP, INC. IN ITS APPLICATION TO NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR STATE ASSISTANCE IN FUNDING THE SOUTH END GROCERY PROJECT

WHEREAS, BlueLight Development Group, Inc. is requesting financial aid from the State of New York to assist in funding for The South End Grocery Project in the City of Albany; and

WHEREAS, BlueLight Development Group, Inc. is applying to New York State Homes and Community Renewal for funding under the New York Main Street Program, Downtown Anchor Project activity; and

WHEREAS, BlueLight Development Group, Inc. is applying for these funding sources through the 2021 New York State Consolidated Funding Application Round; and

WHEREAS, the grant applications require that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the proposed application supports and advances the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the proposed application supports and advances the established goals of the Capital Region Economic Development Council and will have a significant regional impact.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby approve and endorse the application of BlueLight Development Group, Inc. to the New York State Homes and Community Renewal New York Main Street Program for funding to aid The South End Grocery Project.

The following Council Member(s) spoke prior to passage: Johnson and Frederick

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

** Resolution 60.72.21R was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Hoey, Igoe, Kimbrough, O'Brien,*

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien,

Affirmative 14 Negative 0 Abstain 0

Council Member Farrell noticed the introduction of Resolution 61.72.21R as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 61.72.21R

A RESOLUTION SUPPORTING THE CITY OF ALBANY IN ITS APPLICATION TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR STATE ASSISTANCE IN FUNDING THE BREVATOR COMPLETE STREET PROJECT

WHEREAS, the City of Albany is requesting financial aid from the State of New York to assist in funding for the Brevator Complete Street Project in the City of Albany; and

WHEREAS, the City of Albany is applying to the NYS Department of Environmental Conservation for Implementation funding under the Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15; and

WHEREAS, the City of Albany is applying for these funding sources through the 2021 New York State Consolidated Funding Application Round; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the grant application further requires that the municipality commit to a local match of at least fifty percent (50%) of the total eligible project costs; and

WHEREAS, the City of Albany certifies that it has identified \$2,000,000 of matching funds from the general fund and in-kind match pursuant to the requirements of Environmental Conservation Law Article 54 Title 15; and

WHEREAS, the proposed application supports and advances the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the proposed application supports and advances the established goals of the Capital Region Economic Development Council and will have a significant regional impact.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby approve and endorse the application of the City of Albany to the New York State

Department of Environmental Conservation's Climate Smart Communities Grant Program for Implementation funding to aid the Brevator Complete Street Project.

The following Council Member(s) spoke prior to passage: Farrell, Hoey, Igoe, O'Brien, and Anane

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

** Resolution 61.72.21R was co-sponsored by Council Members Anane, Balarin, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O'Brien,*

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien,

Affirmative 14 Negative 0 Abstain 0

Council Member Love noticed the introduction of Resolution 62.72.21R as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 62.72.21R

A RESOLUTION SUPPORTING CAPITALIZE ALBANY CORPORATION IN ITS APPLICATION TO NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR STATE ASSISTANCE IN FUNDING THE LIBERTY PARK DOWNTOWN STABILIZATION PROJECT

WHEREAS, Capitalize Albany Corporation is requesting financial aid from the State of New York to assist in funding for the Liberty Park Downtown Stabilization Project in the City of Albany; and

WHEREAS, Capitalize Albany Corporation is applying to New York State Homes and Community Renewal for funding under the New York Main Street Program, Downtown Stabilization Project activity; and

WHEREAS, Capitalize Albany Corporation is applying for these funding sources through the 2021 New York State Consolidated Funding Application Round; and

WHEREAS, the grant applications require that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the proposed application supports and advances the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the proposed application supports and advances the established goals of the Capital Region Economic Development Council and will have a significant regional impact.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany

does hereby approve and endorse the application of Capitalize Albany Corporation to New York State Homes and Community Renewal's New York Main Street Program for funding to aid the Liberty Park Stabilization Project.

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

** Resolution 62.72.21R was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Kimbrough, O'Brien,*

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien,

Affirmative 14 Negative 0 Abstain 0

Council Member Fahey noticed the introduction of Resolution 63.72.21R as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 63.72.21R

A RESOLUTION SUPPORTING THE ALBANY WATER BOARD IN ITS APPLICATIONS TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE NEW YORK STATE OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION FOR STATE ASSISTANCE IN FUNDING THE LINCOLN PARK REFLECTION AND DISCOVERY GARDEN PROJECT

WHEREAS, the Albany Water Board is requesting financial aid from the State of New York to assist in funding for the Lincoln Park Reflection and Discovery Garden Project in the City of Albany; and

WHEREAS, the Albany Water Board is applying to the New York State Department of Environmental Conservation and the New York State Office of Parks, Recreation, & Historic Preservation for Non-Agricultural Nonpoint Source Abatement and Control Category funding under the Water Quality Improvement Project Program and the Environmental Protection Fund Grants Program for Parks, Preservation and Heritage, respectively; and

WHEREAS, the Albany Water Board is applying for these funding sources through the 2021 New York State Consolidated Funding Application Round; and

WHEREAS, the grant applications require that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the proposed applications support and advance the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the proposed applications support and advance the established goals of the

Capital Region Economic Development Council and will have a significant regional impact.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby approve and endorse the applications of the Albany Water Board to the New York State Department of Environmental Conservation’s Water Quality Improvement Project Program: Non-Agricultural Nonpoint Source Abatement and Control Category and the New York State Office of Parks, Recreation & Historic Preservation’s Environmental Protection Fund Grants Program for Parks, Preservation and Heritage for funding to aid the Lincoln Park Reflection and Discovery Garden Project.

The following Council Member(s) spoke prior to passage: Fahey

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

** Resolution 63.72.21R was co-sponsored by Council Members Balarin, Conti, Doesschate, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien,*

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

Affirmative 14 Negative 0 Abstain 0

President Pro Tem Kimbrough made a motion to add by majority consent Resolutions 64.72.21R and 65.72.21R . It was duly seconded and approved by unanimous voice vote, the local law was added to the agenda for consideration.

Council Member Fahey noticed the introduction of Resolution 64.72.21R as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 64.72.21R (MC)

RESOLUTION IN SUPPORT OF CALLING FOR THE NEW YORK STATE THRUWAY AUTHORITY TO CONTRACT WITH BUSINESSES THAT RESPECT HUMAN RIGHTS

WHEREAS, Albany and New York State have taken great strides to recognize, protect, and expand human rights, including the rights of LGBTQ+ New Yorkers; and

WHEREAS, while much work has been done in recognition of human rights for all New Yorkers, there is still important work to do; and

WHEREAS, First Amendment Rights are important, however, public dollars and the use of public property should support businesses that share the same dedication to human rights exhibited by New York State; and

WHEREAS, the New York State Thruway Authority announced that one of the approved vendors for updated rest stops along the NYS Thruway was Chick-fil-A, a company with a long history of donating millions of dollars to anti-LGBTQ+ causes and organizations; and

WHEREAS, allowing Chick-fil-A to operate in New York State Thruway Authority rest stops supports the company and the causes and organizations that they give donations to, including anti-LGBTQ+ organizations; and

WHEREAS, this relationship could endanger the strides for equality and human rights for LGBTQ+ people that New York State has made and needs to continue to make; and

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Albany joins with other state elected officials to call on the New York State Thruway Authority to re-examine their approved vendors list with a consideration of human rights for all New Yorkers; and

BE IT FURTHER RESOLVED, that upon passage, duly inscribed copies of this resolution be transmitted to the New York State Thruway Authority.

The following Council Member(s) spoke prior to passage: Farrell, Igoe, Flynn, Conti, Fahey, Johnson, Anane, and Balarin

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

** Resolution 64.72.21R (MC) was co-sponsored by Council Members Balarin, Frederick, Hoey, and Kimbrough*

Affirmative – Balarin, Conti, Doesschate, Fahey, Flynn, Farrell, Frederick, Hoey, Johnson, Kimbrough, Love, O’Brien

Present – Anane

Affirmative 11 Negative 0 Present 1 Abstain 0

Council Member Fahey noticed the introduction of Resolution 65.72.21R (MC) as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 65.71.21R (MC)

RESOLUTION IN SUPPORT OF ENACTMENT OF FOR THE PEOPLE ACT, S1 IN THE SENATE

WHEREAS, the right to vote is one of the foundational rights of all American citizens; and

WHEREAS, Congressman John Lewis spent his life fighting against hate, bigotry, and equal opportunity at the voting booth inside and outside of Congress to advance voting rights for everyone; and

WHEREAS, voting rights are under attack nationally by state legislators introducing and passing laws to create barriers to our participation in elections; and

WHEREAS, popular sovereignty through voting is a foundational bedrock of our democracy; and

WHEREAS, the right to vote is under attack nationally by state legislators introducing and passing laws to create barriers to our participation in elections; and

WHEREAS, The For the People Act is a transformative, comprehensive bill addressing voting rights and election administration, money-in-politics, redistricting, government transparency and ethics; and

WHEREAS, The For the People Act will provide a needed overhaul of money-in-politics, voting and ethics laws to make our democracy more inclusive; and

WHEREAS, The For the People Act is based on countless democracy reforms passed and successfully implemented in states across the country; and

WHEREAS, The For the People Act's solutions are broadly supported by the American people across the political spectrum with polling indicating 67% of Americans--including 56% of Republican voters and 68% of Independent voters--support The For the People Act; and

WHEREAS, The For the People Act is the most comprehensive pro-democracy bill introduced in Congress since the Watergate era, containing the bold action that the American people want and deserve; and

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Albany calls on New York's United State Senators, Majority Leader Chuck Schumer and Sen. Kirsten Gillibrand, to do everything possible to support and pass S1, The For the People Act before the 2021 Senate summer recess.

BE IT FURTHER RESOLVED, that upon passage, duly inscribed copies of said resolution be sent to Majority Leader Chuck Schumer and Sen. Kirsten Gillibrand.

The following Council Member(s) spoke prior to passage: Fahey and Anane

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

** Resolution 64.72.21R (MC) was co-sponsored by Council Members Anane, Balarin, Conti, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, and Kimbrough*

Affirmative – Anane, Balarin, Conti, Doeschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien

Affirmative 14 Negative 0 Abstain 0

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

COMMISSIONER OF DEEDS

Majority Leader Ginnie Farrell offered the following, which was approved by unanimous voice vote: RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2022, AND WAIVE THE READING OF THE NAMES:

Last Name	First Name	Agency (when applicable)	Address	City, State	Zip
LaJoy	Matthew	ACDA	200 Henry Johnson Blvd	Albany, NY	12210
Johnson	Clarence Samuel		74 Fourth Ave.	Albany, NY	12202

MISCELLANEOUS AND UNFINISHED BUSINESS

Council member Frederick spoke about being added on as a co-sponsor to Local Law F of 2021 and local recruitment and hiring opportunities.

Council member Love spoke on a street renaming for a resident.

Council member Anane spoke about an upcoming event being held at Buckingham Pond.

Council President Ellis spoke Council Members being mindful to each other even though everyone does not always agree with each other.

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 10:10 pm.

**Cashawna Burt
Deputy City Clerk**