



**COMMON COUNCIL COMMITTEE MEETING**

**FINANCE, TAXATION AND ASSESSMENT COMMITTEE**

**Ginnie Farrell, Chair**

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**Meeting called by:** Ginnie Farrell, Chair    **Date:** 11-9-20    **Time:** 5:30PM

**Darius Shaninfar, Treasurer**  
**Mike Wheeler, Budget Director**  
**Nick Blais, Budget Office**

**Invitees/Speakers**    **Nick Riley, Budget Office**  
**Brett William, Corporation Counsel**

**Committee Members**    **Farrell, Chair**  **O'Brien**  **Doeschate**  **Robinson**  **Balarin**   
**Present:**

**Council Members**  
**Present:**                **Kimbrough, Ellis and Love**

**City Personnel**  
**Present:**                **John-Raphael Pichardo and Michele Andre**

*Minutes*

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**Agenda Item (s): Budget Discussion and possible vote on legislation**

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

ORDINANCE NUMBER 22.101.20

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO THOMAS LACY OF CITY OWNED LAND AT 47 FIRST STREET (TAX MAP PARCEL #65.82-1-71)

ORDINANCE NUMBER 25.101.20

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO DANIEL CADALSO OF CITY-OWNED LAND AT 2 GENESEE STREET (TAX MAP PARCEL #65.44-3-8)

ORDINANCE NUMBER 26.102.20

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO GENERAL DISTILLATION, LLC OF AN EASEMENT IN THE CITY OF ALBANY, OVER A PORTION OF THE CITY RIGHT-OF-WAY OF LIVINGSTON AVENUE, FOR THE CONSTRUCTION AND MAINTENANCE OF AN ADA-COMPLIANT RAMP

ORDINANCE NUMBER 27.102.20 As Amended

AN ORDINANCE ADOPTING THE BUDGET AS PRESENTED BY THE MAYOR ON OCTOBER 1, 2020, FOR FISCAL YEAR 2021

ORDINANCE NUMBER 28.102.20 TO ORDINANCE NUMBER 41.102.20

**Questions and Discussion:**

- Council member Farrell called meeting to order.
- Council member Robinson provided justification for Ordinance 16.82.20.
- Council member O’Brien made a motion to move Ordinance 16.82.20 out of committee with a positive recommendation, which was seconded by Council Member Doesschate. The motion passed unanimously.
- Council member Love provided justification Ordinance 22.101.20.
- Council member O’Brien made a motion to move Ordinance 16.82.20 out of committee with a positive recommendation, which was seconded by Council Member Doesschate. The motion passed unanimously.
- President Pro Tem provide justification for Ordinance 25.101.20.
- Council member Balarin made a motion to move Ordinance 25.101.20 out of committee with a positive recommendation, which was seconded by Council Member Doesschate. The motion passed unanimously.
- President Pro Tem provide justification for Ordinance 26.102.20.
- Council member Doesschate asked a question in which Assist. Corporation Counsel, Brett William answered.
- Council member Doesschate made a motion to move Ordinance 26.102.20 out of committee with a positive recommendation with the consideration that we are provided with more information by Monday, November 19, 2020 regular meeting and the price is deem equitable by the Council, which was seconded by Council Member O’Brien. The motion passed unanimously.
- Council members Doesschate and Obrien asked questions in which Brett William answered.
- Council member Farrell provided justification for Ordinance 28.102.20 to 41.102.20R.
- Council member Doesschate made a motion to move Ordinance 28.102.20 out of committee with a positive recommendation, which was seconded by Council Member Robinson. The motion passed unanimously.
- Council member Robinson made a motion to move Ordinance 29.102.20 out of committee with a favorable recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member O’Brien made a motion to move Ordinance 30.102.20 out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member Doesschate asked question in which Nick Riley and Brett William answered.
- Ordinance 31.102.20 was amended:

**ORDINANCE 31.102.20**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$1,050,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$1,050,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (FIRE – FIRE APPARATUS)**

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

**Section 1.** The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.

Object or Purpose:	Purchase of Apparatus
Local Finance Law Section 11 Subparagraph:	27
Period of Probable Usefulness:	20 years
Maximum Term of Obligations:	20 years
Maximum Estimated Cost:	\$1,050,000
Maximum Amount of Bonds:	\$1,050,000
Treasurer’s Bond Authorization Number(s):	D-21
Treasurer’s Project Number(s):	GH34109104

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$1,050,000.00 serial bonds hereby authorized to be issued.

**Section 3.** It is hereby ordered and directed that the projects specified above be undertaken and the amounts set forth as the maximum estimated costs are hereby appropriated therefor. The Board of Contract and Supply is hereby authorized to take such necessary and further steps to carry out the provisions of this section.

**Section 4.** Pending the sale of the bonds herein authorized, the temporary use of funds from the City's general fund, pursuant to the provisions of section 165.10 of the New York Local Finance Law, is hereby authorized. The City reasonably expects to reimburse such temporary expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this ordinance. This ordinance shall constitute the City's "official intent" to reimburse such temporary expenditures in accordance with United States Treasury Regulation section 1.150-2.

**Section 5.** The faith and credit of the City of Albany, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such leases or bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such leases or bonds becoming due and payable in such year and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. There shall annually be levied on all taxable real property of said City, a tax sufficient to pay the principal of and interest on such leases or bonds as the same become due and payable.

**Section 6.** Subject to the provisions of the New York Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated in the City Treasurer, as chief fiscal officer of the City of Albany. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of Local Finance Law.

**Section 7.** The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the leases or bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

**Section 8.** The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial issuer of the leases or the purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission, pursuant to the Securities and Exchange Act of 1934.

**Section 9.** The validity of such leases or bonds and bond anticipation notes may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this ordinance pursuant to Section 8 hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 10.** Upon this ordinance taking effect, the Clerk of the Common Council is hereby authorized and directed to publish the same together with a notice in substantially the form set forth in section 81.00 of the New York Local Finance Law.

**Section 11.** It is hereby determined that except as hereinafter specified, the authority and funding of the projects aforesaid constitute either unlisted or Type II actions under the New York State Environmental Quality Review Act and the regulations promulgated thereunder having no adverse effect upon the environment.

**Section 12.** This ordinance shall be dated November 9, 2020, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

- Council member Doesschate made a motion to move Ordinance 31.102.20 out of committee with a positive recommendation, which was seconded by Council Member O'Brien. The motion passed unanimously.
- Council members O'Brien and Doesschate asked questions in which Nick Riley answered.
- Council member Doesschate made a motion to move Ordinance 32.102.20 out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member O'Brien made a motion to move Ordinance 33.102.20 out of committee with a positive recommendation, which was seconded by Council Member Doesschate. The motion passed unanimously.
- Council member O'Brien made a motion to move Ordinance 34.102.20 out of committee with a positive recommendation, which was seconded by Council Member Robinson. The motion passed unanimously.
- Council member Doesschate asked questions in Council Member Farrell and Nick Riley answered.
- Council member Doesschate made a motion to move Ordinance 35.102.20 out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member Doesschate made a motion to move Ordinance 35.102.20 out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member Doesschate made a motion to move Ordinance 36.102.20 out of committee with a positive recommendation, which was seconded by Council Member Robinson. The motion passed unanimously.
- Council members Doesschate and O'Brien made statements regarding Ordinance 37.102.20 in which Darius Shahinfar responded to.
- Council member Ginnie made a statement in regards to Ordinance 39.102.20 in which Council member Doesschate responded to.
- Ordinance 37.102.20 to Ordinance 39.102.20 will be held until we received 2021 sidewalk and street paving list.
- Council member Doesschate asked a question regarding Ordinance 39.102.20 in which John Raphael, Nick Riley, Michele Andre and Brett William answered.
- Council member Doesschate made a motion to move Ordinance 40.102.20 out of committee with a positive recommendation, which was seconded by Council Member O'Brien. The motion passed unanimously.
- Council member O'Brien made a motion to move Ordinance 41.102.20 out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Council member O'Brien asked a question regarding the Council's budget intent resolution in which Council Farrell answered.
- Council member Doesschate provided recommendations for budget documents.
- Council members Doesschate asked questions regarding the 2021 budget amendment in which Nick Blais and Mike Wheeler answered.
- Council member Farrell closed meeting.

**Public Comment:**

There was no public comment.

**Adjourn:**

Council member Doesschate asked for a motion to adjourn, which was duly made, seconded by Council member Balarin, and passed.

**This meeting was held following Governor Cuomo's executive order 202.1. It live streamed on YouTube using Zoom as the meeting platform.**

**Link to meeting recording:** [https://fb.watch/1GEp\\_Kd-0k/](https://fb.watch/1GEp_Kd-0k/)