



**COMMON COUNCIL COMMITTEE MEETING
FINANCE, TAXATION AND ASSESSMENT COMMITTEE**

Ginnie Farrell, Chair

Meeting called by: Ginnie Farrell, Chair **Date:** 11-2-20 **Time:** 5:30PM

Invitees/Speakers Darius Shahinfar, Treasurer

Committee Members Present: Farrell, Chair ☒ O'Brien ☒ Doesschate ☒ Robinson ☒ Balarin ☒

Council Members Present: Kimbrough, Frederick, Fahey, Love, Conti and Hoey

City Personnel Present: Brett Williams, John-Raphael Pichardo, Michele Andre and Danielle Gillespie

Minutes

Agenda Item (s): Full Council Budget Caucus and review Local Law K of 2020 *As Amended* and Resolution 90.102.20

Questions and Discussion:

- Council member Farrell called meeting to order.
- The City Treasurer Darius Shahinfar provided justification for Local Law K – 2020 *As Amended*.
- Council members asked O'Brien, Doesschate, Fahey, Conti, and Balarin questions in which Treasurer Darius Shahinfar answered.
- Council members Doesschate and Conti provided recommendation to amend Local Law K of 2020.

LOCAL LAW K OF 2020 (*As Amended 11/02/2020*)

A LOCAL LAW AMENDING CHAPTER 313 (SOLID WASTE) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO BILLING OF THE FEE FOR CURBSIDE COLLECTION OF WASTE

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

Section 1. Subsections C, D, E, and G of section 313-3 (Scope) of Article I (Removal of Garbage) of Chapter 313 (Solid Waste) of the Code of the City of Albany are hereby amended to read as follows:

§ 313-3 Scope

- C. Bills for curbside collection program fees. Bills for curbside collection program fees shall be prepared and sent to each owner annually ~~[, starting February 1 of each calendar year; provided, however, that for calendar year 2017 and thereafter, bills may be prepared and sent to each owner in the same manner as water and sewer charges are now billed, distributed and collected].~~ Such bill shall be included with the property tax bill sent to each property owner in January, whenever feasible.
- D. Penalties for nonpayment. ~~[After three months of nonpayment, a property owner who fails to pay charges that have been established and imposed for the curbside collection program, a penalty of \$50 per unit will be added to the base curbside collection fee.]~~ The penalty for late or non-payment of curbside collection program fees in the City of Albany shall be: 4% in the first month or fraction thereof, for any amount of the curbside collection program fee that is not timely received by the City Treasurer, in whole or in part. After the first month of late payment, the penalty shall be an additional 1% in each succeeding month or fraction thereof.
- E. Exemption from curbside collection program. Property owners are eligible for and may apply for an exemption from curbside collection fees as follows:
- (4) If the property is owned and occupied by a person who, because of age or disability ~~[is]~~ qualified for an exemption from City real property taxes based on an enhanced STAR exemption or low-income exemption at any time during the preceding year, such qualification shall constitute an automatic exemption under this subsection;
- G. All curbside collection program charges, and penalties and interest thereon shall be a lien upon the real property ~~[benefited by the]~~ for which any curbside collection program charge or penalty was not paid, from the date that the fee is due and payable, and such lien shall be prior and superior to every other lien or claim, except the lien of an existing tax or local assessment. The Treasurer shall certify to the Common Council the amount of any such lien which has not been paid at the time and in the manner prescribed, with a description of the real property affected thereby, and the Common Council shall include such amount in the annual tax levy and shall levy the same upon the property in default.

Section 2. This local law shall take effect upon public hearing, final passage, and filing with the Secretary of State; provided, however, that the amendments made by this Local Law shall not affect the expiration of, and shall expire at the same time and manner as provided in section 5 of Local Law No. 1-2016 as amended by Local No. 5-2019.

- Treasurer Darius Shahinfar answered question submitted via Facebook.



Leah Golby · 7:52

When the trash fee moves to our property tax bills, will property owners who pay their taxes via their mortgages have the opportunity to pay the trash fee only to the city in January to keep their monthly mortgage payments from going up even more than they are going to go up because of the needed tax increase?

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- Council Member Doesschate made a motion to move Local Law K – 2020 *As Amended* out of committee with a positive recommendation, which was seconded by Council Member Balarin. The motion passed unanimously.
- Treasurer Darius Shahinfar provided justification for Resolution 90.102.20R.
- Council members O'Brien, Doesschate, Fahey, Conti, and Balarin asked questions in which Treasurer Darius Shahinfar answered.

- Council Member O'Brien made a motion to move Resolution 90.102.20R out of committee with a favorable recommendation, which was seconded by Council Member Doesschate. The motion passed unanimously.
- Council members Anane, Conti, Doesschate asked questions on the budget which Council members Farrell and Doesschate and Treasurer Darius Shahinfar answered.
- Council members Doesschate, Conti and O'Brien made statements on the budget process.
- Council member Farrell closed meeting.

Public Comment:

There was no public comment.

Adjourn:

The Chairperson asked for a motion to adjourn, which was duly made, seconded, and passed.

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

Link to meeting recording: <https://fb.watch/1wm7zlyDl4/>