

# ALBANY COMMON COUNCIL MINUTES OF A REGULAR MEETING

**Monday May 5, 2014**

The Common Council was convened at 7:00 p.m. and was called to order by Council President McLaughlin.

The roll being called, the following answered to their names: Council Members Appllys, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, Krasher, O'Brien and Robinson.

Also present was the following staff: Nala Woodard, Gerald Campbell, Patrick Jordan, Barbara Samel and Cashawna Parker.

Council Member Golby led the Pledge of Allegiance.

## **PUBLIC COMMENT PERIOD**

1. Dominick Calsolaro, 35 Clare Avenue, Albany, NY (Casinos);
2. Marlon Anderson, 491 Livingston Avenue, Albany, NY (Casino);
3. Tom McPheeters, 14 Wilbur Street, Albany, NY (Lincoln Park);
4. Willie White, 62 Delaware Street, Albany, NY (Programs at Ezra Prentice Apartments);
5. Helen Klaesen, 817 Livingston Avenue, Albany, NY (Casino);
6. Sister Honora Kinney, 93 Park Avenue, Albany, NY (Casino).

There being no further speakers, the President declared public comment closed.

## **CONSIDERATION OF LOCAL LAWS**

The local laws on the pending agenda were held at the request of President Pro Tempore Conti.

## **REPORTS OF STANDING COMMITTEES**

**Public Safety** – Chairperson Golby stated that there will be a joint committee meeting of the Public Safety and General Services, Health and Environment committee meeting at 200 South Pearl Street on health and safety issues at the Port of Albany. There will be a panel presentation and then have questions from the public.

**Finance, Taxation and Assessment** – Chairperson Commisso stated that the committee met on May 1, 2014 to review six (6) bonding authorizations, which will be voted on at tonight's meeting. All ordinances were referred out of committee favorably.

**Planning, Economic Development and Land Use** – Chairperson Herring stated that the committee will be meeting on May, 12, 2014 to review applicant resumes to the Albany Sustainability Advisory Committee. He stated that the committee met tonight to discuss Resolution Number 39.51.14R confirming the appointment of Richard Berkley to the Board of Zoning Appeals, which was referred out of committee with a favorable recommendation.

## **REPORTS OF AD HOC COMMITTEES**

**Committee of the Whole** – President Pro Tempore Conti stated that the committee met on April 30, 2014 and that the committee will be scheduling another meeting soon.

## **CONSIDERATION OF ORDINANCES**

**Council Member Krasher introduced ORDINANCE NUMBER 35.51.14 at the request of Council President McLaughlin, which was held:**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 159 QUAIL STREET IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO MORNING STAR MISSIONARY BAPTIST CHURCH**

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

Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the property known as 159 Quail Street (Tax Map #65.62-3-7) be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to Morning Start Missionary Baptist Church.

SUBJECT to all easements, restrictions and rights-of-way of record.

Section 2. It is hereby determined that the aforesaid property have been abandoned for municipal or public purposes.

Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.

**Section 4. This ordinance shall take effect immediately.**

**Council Member Krasher introduced ORDINANCE NUMBER 36.51.14, which was referred to the Law, Buildings and Code Enforcement Committee:**

**AN ORDINANCE AMENDING SECTION 231-130 OF CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO RESIDENTIAL OCCUPANCY PERMITS**

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

**Section 1. Section 231-130 of Chapter 231 is hereby amended to read as follows:**

§ 231-130. Inspection and certification of premises.

General.

(1) All residential rental dwelling units shall be inspected and certified by the Department of Buildings and Regulatory Compliance (hereinafter "the Department"), which shall determine compliance with, administer and enforce all applicable provisions of this code and the Code. On and after November 1, 1996, residential occupancy permits shall be valid for 30 months from the date of issuance.

A. After the issuance of a residential occupancy permit, if a unit is declared unfit pursuant to Section 231-114 and the violations are not remedied within 72 hours, the term of the residential occupancy permit shall be reduced to one year if more than one year remains on the permit and if less than one year remains on the permit, it shall be immediately withdrawn.

B. If the required repair is unfeasible within 72 hours of notice of the violation by the Department, the landlord shall provide proof to the Department (i.e.: estimate, invoice, etc.) that the violation will be corrected in a reasonably expedient time period.

(2) Nothing contained herein shall be construed or operate to invalidate an otherwise legally effective permit or certificate issued prior to November 1, 1996, except that such permit or certificate shall be valid only until May 31, 1999, or a change in the tenancy of the residential rental dwelling unit to which the permit or certificate relates, whichever first occurs.

(3) Except as otherwise provided herein, it shall be unlawful and a violation of this chapter to rent, lease or otherwise allow the occupancy of any residential rental dwelling unit without the inspection and certification as required herein.

(4) If, upon inspection, said premises do not comply with all applicable provisions of this code or the Uniform Code, the specific reasons for noncompliance shall be specified in writing in a notice and order, as provided in § 231-108. The notice and order shall be served as set forth in Chapter 133A of this Code. Occupants or proposed occupants of dwellings shall have the right to inspect the certificate of occupancy of the residential rental dwelling unit, apartment or multiple residence in which they have an interest at no cost.

B. On or after November 1, 1996, the Department shall have the right to inspect all or any part of the rental dwelling, including any unit or apartment, or entire multiple residence as required herein and/or upon complaint, except that the owner, agent or person in charge thereof shall have the right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Chief of the Department, or his or her designee, in order to enable such inspection. The officials charged with conducting the inspection pursuant to this Part 4 shall be required to obtain a search warrant whenever an owner, agent or person in charge refuses to permit a warrantless inspection of the premises after having been advised that he or she has a constitutional right to refuse entry of the officials without a search warrant.

C. The officials charged with conducting the inspection shall make such inspection, access and circumstances permitting, within three business days of receipt of a request from the owner, agent or occupant.

D. An owner, agent or occupant may file with the Department a request for such inspection and the issuance of a residential occupancy permit by regular mail or in person at the office of the Chief of the Department.

E. Nothing in this Part 4 shall be construed to limit the right of the Department to inspect any property at any time. If, after issuing a residential occupancy permit, the Department receives a complaint alleging a violation of this chapter, other than a violation that creates an imminent hazard to the public health or to the physical or mental health of the occupants of the rental property, the Department shall make a good faith effort to notify the owner or agent of the complaint by either telephone or regular mail, before conducting an inspection under this chapter, and shall provide to the owner or agent one working day to explain what steps the owner or agent is taking to correct the violation. The Department may take steps necessary, by inspection or other means, to assure that the violation is corrected.

F. No residential occupancy permit shall be issued under this Part 4 unless and until the fee(s) required under Part 5 of this chapter is paid in full to the Department.

G. No residential occupancy permit shall be issued under this Part 4 unless the rental dwelling unit is an authorized use pursuant to Chapter 375, Zoning, and until all other applicable provisions and requirements of the Code of the City of Albany are complied with and met.

H. The owner must notify each tenant upon the issuance or renewal of a residential occupancy permit along with a statement notifying the tenant that they have a right to report potential code violations to the City of Albany during the term of their lease.

Section 2. This ordinance shall take effect immediately.

**President Pro Tempore Conti on behalf of Council Member Kornegay introduced ORDINANCE NUMBER 37.51.14, which was held:**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT EASEMENT TO 28 ELIZABETH STREET OVER, UPON AND UNDER A PORTION OF THE CITY RIGHT-OF-WAY OF ELIZABETH STREET IN THE CITY OF ALBANY**

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

Section 1. It is hereby authorized that the City of Albany grant a permanent easement to the owner of 28 Elizabeth Street over, upon and under a portion of the City right-of-way of Elizabeth Street, adjacent to 28 Elizabeth Street (Tax Map #75.65-1-12), in the City of Albany.

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

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

**Section 4. This ordinance shall take effect immediately.**

**Council Member Commisso moved to amend ORDINANCE NUMBER 16.41.14 and as amended, asked for passage and a roll call vote thereon:**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$210,000.00 AND AUTHORIZING THE ISSUANCE OF \$210,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PEDESTRIAN IMPROVEMENTS)**

**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: [~~Traffic signals, traffic signal systems, traffic signs and traffic sign support~~]  
Unspecified betterments and improvements.

Local Finance Law Section 11.00(a) Subparagraph [~~72(b)~~] 35

Period of Probable Usefulness: [~~10~~] 5 years

Maximum Term of Obligations: [~~10~~] 5 years

Maximum Estimated Cost: \$210,000.00

Maximum Amount of Bonds: \$210,000.00

Treasurer's Bond Authorization Numbers: L-14  
Treasurer's Project Numbers: GH 33108412

Section 2. The plan of financing such objects or purposes is the issuance of \$210,000.00 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 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 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 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 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 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 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 publications, 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 April 7, 2014 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

*\*Note: Council Members Krasher and Commisso spoke on this ordinance prior to passage.*

**The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doeschate, Flynn, Golby, Herring, Igoe, O’Brien and Robinson

Present – Krasher

**Affirmative 11 Negative 0 Abstain 0 Present 1**

**Council Member Commisso asked for passage of ORDINANCE NUMBER 26.41.14 (AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$890,000.00 AND AUTHORIZING THE ISSUANCE OF \$890,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (REPLACEMENT VEHICLES AND EQUIPMENT), which had been previously introduced.**

**The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doeschate, Flynn, Golby, Herring, Igoe, O’Brien and Robinson

Present – Krasher

**Affirmative 11 Negative 0 Abstain 0 Present 1**

**Council Member Commisso asked for passage of ORDINANCE NUMBER 31.42.14 (AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$522,700.00 AND AUTHORIZING THE ISSUANCE OF \$522,700.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CODE UPDATE)(, which had been previously introduced.**

**The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doeschate, Flynn, Golby, Herring, Igoe, O’Brien and Robinson

Present – Krasher

**Affirmative 11 Negative 0 Abstain 0 Present 1**

*Ordinance Number 31.42.14 was co-sponsored by Council Member Golby.*

**Council Member Commisso asked for passage of ORDINANCE NUMBER 32.42.14 (AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$100,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$100,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (BATTALION VEHICLES)), which had been previously introduced.**

**The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applrys, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, O’Brien and Robinson

Present – Krasher

**Affirmative 11 Negative 0 Abstain 0 Present 1**

*Ordinance Number 32.42.14 was co-sponsored by Council Member Golby.*

**Council Member Commisso asked for passage of ORDINANCE NUMBER 33.42.14 (AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$100,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$100,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (LADDER TRUCK)), which had been previously introduced.**

*\*Note: Council Member Commisso spoke on this ordinance prior to passage.*

**The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applrys, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, O’Brien and Robinson

Present – Krasher

**Affirmative 11 Negative 0 Abstain 0 Present 1**

*Ordinance Number 33.42.14 was co-sponsored by Council Member Golby.*

**The remaining ordinances on the agenda were held at the request of President Pro Tempore Conti.**

**CONSIDERATION OF RESOLUTIONS**

**Council Member Bailey introduced RESOLUTION NUMBER 37.51.14R, asked for passage and a roll call vote thereon:**

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (ALBANY WATERFRONT/CORNING PRESERVE IMPROVEMENTS [P.I.N. 1756.86])**

WHEREAS, a Project Albany Waterfront / Corning Preserve Improvements, City of Albany P.I.N. 1756.86 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the City of Albany desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design

NOW, THEREFORE, the Common Council, duly convened does hereby

RESOLVED, that the Common Council hereby approved the above-subject project; and it is hereby further

RESOLVED, that the Common Council hereby authorizes the City of Albany to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$665,000 (Six Hundred Sixty Five Thousand dollars and no cents) is hereby appropriated from Ordinance No. 30.41.14 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council of the City of Albany shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Albany be hereby authorized to execute all necessary Agreement, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Albany within the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Projects costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

**The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applrys, Bailey, Commisso, Conti, Doeschate, Flynn, Golby, Herring, Igoe, Krasher, O'Brien and Robinson

**Affirmative 12 Negative 0 Abstain 0**

*Resolution Number 37.51.14R was co-sponsored by Council Member Robinson.*

**Council Member Flynn introduced RESOLUTION NUMBER 38.51.14R, asked for passage and a roll call vote thereon:**



**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH 878 NEW SCOTLAND AVENUE FOR THE USE AND OCCUPANCY OF A PORTION OF THE CITY RIGHT-OF-WAY OF NEW SCOTLAND AVENUE ADJACENT TO 878 NEW SCOTLAND AVENUE**

RESOLVED, that the Mayor be and is hereby authorized and empowered to execute and enter into a license agreement with the owner of 878 New Scotland Avenue for the use and occupancy of a portion of the City right-of-way of New Scotland Avenue, adjacent to 878 New Scotland Avenue for the erection of a non-electronic, non-LED identifying sign for the business located at said address upon such terms and conditions as approved by the Corporation Counsel and the involved City agencies together with such other forms, documents and agreements necessary to amend, supplement and/or effectuate the same.

**The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, Krasher, O’Brien and Robinson

**Affirmative 12 Negative 0 Abstain 0**

**Council Member Herring introduced RESOLUTION NUMBER 39.51.14R, asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE APPOINTMENT OF RICHARD BERKLEY AS A MEMBER OF THE BOARD OF ZONING APPEALS**

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter appointed Richard Berkley as a member of the Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED, that Richard Berkley is confirmed as a member of the Board of Zoning Appeals to fill an unexpired term, ending December 31<sup>st</sup>, 2016.

**The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, Krasher, O’Brien and Robinson

**Affirmative 12 Negative 0 Abstain 0**

*Resolution Number 39.51.14R was co-sponsored by Council Members Applyrs, Bailey, Conti, Doesschate, Golby, O’Brien and Robinson.*

**Council Member Conti introduced RESOLUTION NUMBER 40.51.14R on behalf of Council Member Fahey, asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL RECOGNIZING THE CIVIL SERVICE EMPLOYEE ASSOCIATION, INC., LOCAL 1000, AFSCME AFL-CIO AS THE NEGOTIATING AGENT FOR THE FOLLOWING TITLES: CROSS CONNECTION CONTROL INSPECTOR, SPRAY TECHNICIAN, SUPERVISOR, WATER MAINTENANCE FOREMAN, LABOR FOREMAN, FORSTER AND ASSISTANT FORESTER IN THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF WATER AND WATER SUPPLY**

RESOLVED, that the City of Albany recognize Civil Service Employee Association, Inc., Local 1000, AFSCME AFL-CIO as the negotiating agent for the following titles: Cross Connection Control Inspector, Spray

Technician, Supervisor, Water Maintenance Foreman, Labor Foreman, Forester and Assistant Forester in The Department Of General Services And The Department Of Water And Water Supply.

*\*Note: Council Members Krasher and Conti spoke on this resolution prior to passage.*

**The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doeschate, Flynn, Golby, Herring, Igoe, Krasher, O’Brien and Robinson

**Affirmative 12 Negative 0 Abstain 0**

*Resolution Number 40.51.14R was co-sponsored by Council Members Bailey, Krasher and O’Brien.*

**President Pro Tempore Conti asked and received majority consent to add Resolution Number 41.51.14R to the pending agenda, which was approved by unanimous voice vote.**

**Council Members Conti and Robinson introduced RESOLUTION NUMBER 41.51.14R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL CONGRAULATING THE HISTORIC ALBANY FOUNDATION (HAF) ON THE OCCASION OF ITS 40<sup>TH</sup> ANNIVERSARY**

WHEREAS, on March 25, 1974 the Historic Albany Foundation was founded as a non-profit membership organization to acquire, hold, improve, preserve, develop and restore sites, buildings and residences or other structures, and artifacts of historical or architectural interest in and around the City of Albany; and

WHEREAS, through these activities, the Foundation has furthered the economic and social well-being of this city and promoted the improvement of the urban environment; and

WHEREAS, Historic Albany has been in the City of Albany since its inception, starting its offices at 194 Elm Street in the Hudson/Park neighborhood and ultimately moving to 89 Lexington Avenue, its present home; and

WHEREAS, Louise McAllister Merritt along with others, started Historic Albany to stabilize the Hudson/Park neighborhood and restore the buildings there after the completion of the Empire State Plaza; and

WHEREAS, a plan and vision of preserved and restored neighborhoods was and continues to be the priority of the organization; to demonstrate those successes, Historic Albany connects to the general public with educational programming; and

WHEREAS, the Architectural Parts Warehouse is one of the oldest continuously operating salvage warehouses and retail stores in the country; and

WHEREAS, Historic Albany continues to be the leading voice for preservation and redevelopment of historic buildings and their elements in the City of Albany; and

WHEREAS, Historic Albany’s mission today continues to be preservation and protection of buildings that have architectural, historic or civic value, by providing technical assistance, education, and advocacy; and

WHEREAS, the sustainability of both the organization and the City of Albany’s historic fabric has prevailed for 40 years; and

WHEREAS, 2014 marks the 40<sup>th</sup> Anniversary of the founding of the Historic Albany Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council does hereby congratulate the Historic Albany Foundation on the occasion of its 40<sup>th</sup> Anniversary and extend its best wishes and support for its mission of continued preservation within the City of Albany.

**The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Applyrs, Bailey, Commisso, Conti, Doesschate, Flynn, Golby, Herring, Igoe, Krasher, O’Brien and Robinson

**Affirmative 12 Negative 0 Abstain 0**

*Resolution Number 41.51.14R (MC) was co-sponsored by Council Members Applyrs, Bailey, Commisso, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher and O’Brien.*

**The remaining resolutions on the pending agenda were held at the request of President Pro Tempore Conti.**

#### **MISCELLANEOUS AND UNFINISHED BUSINESS**

**Majority Leader Dan Herring offered the following, which was adopted 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, 2014, AND WAIVE THE READING OF THE NAMES:

1. Richard Powell, Department of Social Services 162 Washington Ave 7<sup>th</sup> floor – Fraud Unit Albany, NY 12210
2. Sonya Allen, 24 Eagle Street – Room 202, Albany, NY 12207

Council Member Golby stated that May is Bike Month and May 16, 2014 is Bike to Work Day. She stated that she will send information to Council Members via email. She discussed Green to Work Day, which is getting to work by any means other than by gas operated vehicles.

#### **ADJOURNMENT**

Council President McLaughlin stated, hearing no objections, that the Council was adjourned.

A true record of the Common Council Minutes of May 5<sup>th</sup>, 2014.

CASHAWNA PARKER  
SENIOR LEGISLATIVE AIDE TO THE  
ALBANY COMMON COUNCIL