

ALBANY COMMON COUNCIL MINUTES OF A REGULAR MEETING

Thursday, January 24, 2013

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 Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith.

Also present were the following staff: Nala Woodard, Barbara Samel and Patrick Jordan.

Council Member Herring led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Hon. Jack McEneny (Redistricting);
2. Fredda Peritz, 77 South Lake Avenue, Albany, NY 12203 (Summer youth employment program);
3. Mark Bobb-Semple, 49 Pennsylvania Avenue, Albany, NY 12206 (Summer youth employment program);
4. Vera Michelson, 13 Pennsylvania Avenue, Albany, NY 12206 (Summer youth employment program);
5. Willie White, 38 Morton Avenue, Albany, NY 12202 (Summer youth employment program);
6. Helen Dong and Bill Mills, 694 Madison Avenue, Albany, NY 12208 (Redistricting);
7. Jose Lopez, 40B View Avenue, Albany, NY 12209 (Traffic on Delaware Avenue & United Tenants).

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

CONSIDERATION OF LOCAL LAWS

Council Member Calsolaro introduced LOCAL LAW A-2013, which was held:

A LOCAL LAW AMENDING SECTION 333-126 (MAXIMUM PURCHASE PRICE) AND SECTION 333-128 (MAXIMUM HOUSEHOLD INCOME) OF ARTICLE XVI (EXEMPTION FOR FIRST-TIME HOMEBUYERS) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY

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

Section 1. Section 333-126 (A) of Chapter 333 of the Code of the City of Albany is hereby amended to read as follows:

Section 333-126. Maximum Purchase Price.

A. Any newly constructed primary residential real property within a purchase price limit of \$356,012 shall be eligible for the exemption allowed pursuant to this article.

Section 2. Section 333-128 of Chapter 333 of the Code of the City of Albany is hereby amended to read as follows:

A first-time homebuyer shall not qualify for the exemption authorized pursuant to this article if the household income exceeds \$77,000.

Section 3. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

Council Member Conti withdrew Local Law E-2010.

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

REPORTS OF STANDING COMMITTEES

Housing and Community Development – Chairman Calsolaro stated that the Committee met Tuesday, January 15, 2013 to review changes with Community Development Block Grant (CDBG) funding which would be delivered directly to the City of Albany general fund instead of to the Albany Community Development Agency (ACDA). He stated that details are still being worked out between the Treasurer’s Office, the Mayor’s Office and the Community Development Agency. The ACDA expects that the CDBG funding award amount will be about the same as the previous year. He stated that the CDBG year begins on July 1, 2013 and the appeals process will be starting soon but letters will not be sent out until the ACDA find out how much funding will be awarded.

Planning, Economic Development and Land Use – Chairman Herring stated that the Committee met after caucus on January 16, 2013 to discuss reappointments to the Board of Zoning Appeal of Leslie Moran and Charles Cronin, which was passed out of Committee with a positive recommendation.

Law, Buildings and Code Enforcement – Chairman Igoe stated the Committee would be meeting January 30, 2013 immediately following Caucus to discuss Resolution Number 6.11.13R(MC) appointing Jeffrey Jamison Commission of Buildings and Regulatory Compliance and three other ordinances, which 83.82.10, known as the grouper law, will be withdrawn this evening. The other ordinances are Ordinance Number 33.101.12 relating to the vacant building registry, Ordinance Number 34.101.12 relating to residential occupancy permits and the registration of rental dwellings and Ordinance Number 36.52.11 in relation to fees.

Council Operations and Ethics – Chairman Conti stated that the Committee met on January 17, 2013 to discuss the redistricting lines. He stated that several Members of the Reapportionment Commission was present to discuss their proposal and answer questions to get a better understanding of their thought process. The committee also looked at some of the revisions that came out of the public hearing and some of the suggestions that Council Members have suggested. The Committee has not made any recommendations. There was a meeting scheduled for January 23, 2013 but it had to be cancelled because City Hall was closed. The rescheduled date is for January 31, 2013. He stated that there is a deadline to have this process completed in order to forward the plan to the Albany County Board of Elections.

General Services, Health and Environment - Chairman O’Brien stated that the Committee is looking to schedule a meeting with the Department of General Services to discuss the Solid Waste

Management Plan but have not received confirmation from them yet. The Committee will also be looking to meet to discuss Ordinance 2.11.13 relating to Complete streets in the near future.

CONSIDERATION OF ORDINANCES

Council Member Conti withdrew Ordinance Numbers 87.82.10, 99.121.10 and 1.12.11.

Council Member Igoe withdrew Ordinance Numbers 83.82.10.

Council Member Konev withdrew Ordinance Numbers 59.42.10, 64.51.10, 73.61.10, 74.61.10 and 78.71.10.

Council Member Sano offered ORDINANCE NUMBER 1.11.13 (AN ORDINANCE AMENDING ORDINANCE 33.51.11 ENTITLED: “AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$325,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$325,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PUMPER TRUCK APPARATUS)” INCREASING THE MAXIMUM ESTIMATED COST AND AMOUNT OF THE BOND TO \$391,835), which had been previously introduced, and asked for passage and a roll call vote thereon:

The ordinance passed by the majority vote of the following Council Members:

Affirmative – Bailey, Calsolaro, Conti, Fahey, Golby, Herring, Igoe, Jenkins-Cox, O’Brien, Rosenzweig, Sano, and Smith

Negative – Commisso

Present – Konev

Affirmative 12 Negative 1 Abstain 0 Present 1

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

CONSIDERATION OF RESOLUTIONS

Council Member Smith introduced RESOLUTION NUMBER 7.12.13R (RESOLUTION OF THE COMMON COUNCIL RE-APPOINTING AKOSUA G. YEBOAH AS A MEMBER OF THE CITIZENS’ POLICE REVIEW BOARD), asked for passage and a roll call vote thereon:

NOW, THEREFORE, BE IT RESOLVED, that Akosua G. Yeboah be and hereby is re-appointed as a member of the Citizens’ Police Review Board for a term of office expiring October 26, 2015.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The resolution passed by the majority vote of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith

Affirmative 14 Negative 0 Abstain 0

Resolution Number 7.12.13R was co-sponsored by Council Members Calsolaro, Golby, Konev and O'Brien.

Council Member Smith introduced RESOLUTION NUMBER 8.12.13R (RESOLUTION OF THE COMMON COUNCIL RE-APPOINTING MARITZA MARTINEZ AS A MEMBER OF THE CITIZENS' POLICE REVIEW BOARD), which was held:

NOW, THEREFORE, BE IT RESOLVED, that Maritza Martinez be and hereby is re-appointed as a member of the Citizens' Police Review Board to fill an unexpired term of office expiring October 26, 2015.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Council Member Herring withdrew Resolution Number 13.31.12R.

Majority Leader Herring asked for passage of RESOLUTION NUMBER 4.11.13R (RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE RE-APPOINTMENT OF LESLIE SCOTT MORAN TO THE BOARD OF ZONING APPEALS), which had been previously introduced:

The resolution passed by the majority vote of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith

Affirmative 14 Negative 0 Abstain 0

Resolution Number 4.11.12R was co-sponsored by Council Member Conti.

Council Member Herring asked for passage of RESOLUTION NUMBER 5.11.13R (RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE RE-APPOINTMENT OF CHARLES J. CRONIN, JR. TO THE BOARD OF ZONING APPEALS), which had been previously introduced:

The resolution passed by the majority vote of the following Council Members:

Affirmative – Bailey, Commisso, Fahey, Golby, Herring, Igoe, Jenkins-Cox, O'Brien, Rosenzweig, Sano, and Smith

Negative – Calsolaro, Conti and Konev

Affirmative 11 Negative 3 Abstain 0

Resolution Number 5.11.13R was co-sponsored by Council Members Rosenzweig and Sano.

Council Member Konev withdrew Resolution Number 37.41.10R.

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

MISCELLANEOUS AND UNFINISHED BUSINESS

Majority Leader Herring offered the following, which was approved by unanimous voice vote:

COMMISSIONERS OF DEEDS

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, 2012, AND WAIVE THE READING OF THE NAMES:

(See attached list of names)

ADJOURNMENT

President Pro-Tempore Conti made a motion to adjourn. President McLaughlin, hearing no objections, stated that the meeting was adjourned.

A true record of the Common Council Minutes of January 24th, 2013.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL