

**ALBANY COMMON COUNCIL
MINUTES OF A REGULAR MEETING**

Monday, January 3, 2011

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, Freeman, Golby, Herring, Igoe, O'Brien, Rosenzweig, Sano, and Smith.

Also present was the following staff: John Marsolais, Jeff Jamison, Barbara Samel and Cashawna Parker.

Council Member Herring led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Sandra Steubing, 690 Central Ave., Albany, NY 12206 (Peak Oil-Energy Decent)
2. Vincent Riguso, 13 Beach Ave., Albany, NY 12203 (Various)

There being no further speakers, the President declared the Public Comment Period closed.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Conti made a motion to approve the minutes of December 6, 2010 and December 15, 2010, which was approved by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS

The Local Laws on the pending agenda were held at the request of Council Member Conti.

REPORTS OF STANDING COMMITTEES

Law, Buildings and Code Enforcement Committee – Mr. Igoe indicated that the Committee would be meeting on Tuesday, January 12 at 5:30 PM to consider Ordinance 98.121.10 in relation to the keeping of hens with city limits.

REPORTS OF AD HOC COMMITTEES

Cable Access – Mr. Rosenzweig indicated the Ad Hoc Committee on Cable Access met on December 29 to discuss the PEG Access Oversight Committee and that legislation establishing the committee would be introduced shortly.

CONSIDERATION OF ORDINANCES

The Ordinances on the pending agenda were held at the request of Council Member Conti.

CONSIDERATION OF RESOLUTIONS

Council Member Rosenzweig offered the following, which was held:

Resolution Number 1.11.11R

**RESOLUTION OF THE COMMON COUNCIL CONGRATULATING COURTNEY BURKE ON
HER ACHIEVEMENTS IN U.S. WOMEN'S HOCKEY**

WHEREAS, Albany native Courtney Burke began playing hockey at age 6, playing on all-boys teams locally and around the Northeast and Canada; and

WHEREAS, she was eventually recruited by the prestigious Minnesota hockey prep school, Shattuck-St. Mary's. During the 2008-09 season as a freshman playing defense, Courtney scored nine goals and had 19 assists. The team had 40 wins and seven losses; and

WHEREAS, this past April she led her Shattuck-St. Mary's team to the 2010 USA Hockey Tier I 16 & Under National Championship, ending among the tournament leaders in scoring; and

WHEREAS, she was selected to compete in the U.S. Women's Under 18 Select Team that swept Canada in the three game 2010 Women's series in Lake Placid, New York. This was the first time the U.S. swept Canada in the four year history of the event; and

WHEREAS, Courtney was recently selected to play on the U.S. Women's National Under 18 Team that will compete in the 2011 International Ice Hockey Federation World Women's U18 Championship set for January 1-8 in Stockholm Sweden.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany congratulates Courtney Burke on her outstanding achievements in the sport of women's hockey and wishes her continued success in the sport and in reaching her goal of competing in the Olympics.

Council Member Conti offered the following, asked for passage and a roll call vote thereon:

Resolution Number 2.11.11R

RESOLUTION OF THE ALBANY COMMON COUNCIL REQUESTING STATE LEGISLATIVE AUTHORIZATION FOR AN INCREASE IN VITAL RECORDS FEES UNDER NYS PUBLIC HEALTH LAW SECTION 4173(3)

WHEREAS, many cities and villages in New York State, including the City of Albany, employ a Vital Records Registrar who issues birth and death certificates; and

WHEREAS, historically, the statutory amount under NYS Public Health Law section 4173(3) which may be charged by local offices for vital statistics documents was equal to the \$10 charge imposed by the state for similar records; and

WHEREAS, in 2003, the state's fee under Public Health Law section 4174(2) was raised to \$30 without a corresponding change for municipalities; and

WHEREAS, since then, the State Legislature has enacted similar increases for certain counties including Monroe, Onondaga, Chemung and Tompkins, and the City of Oswego. However, the remaining local governments are prohibited from charging more than \$10 for these documents; and

WHEREAS, allowing municipalities to increase their fee to an amount not exceeding that allowed for state charges could generate significant non-property tax revenue, thereby reducing the reliance on the local property tax; and

WHEREAS, it has been estimated that cities could receive an additional \$100,000 to \$600,000 annually (depending upon the number of documents issued) if they were permitted to charge the \$30 fee; and

WHEREAS, the City of Albany currently receives approximately \$240,000 annually in revenue from vital statistics record fees which are currently capped at \$10; and

WHEREAS, even a modest increase in the fee could provide significant additional revenue to the City of Albany helping to relieve burdens on property tax payers.

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council requests an amendment to NYS Public Health Law section 4173(3) that will allow the City of Albany, through the Common Council, to set a fee for vital statistics records not to exceed the amount allowed for state charges; and

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to: the Majority and Minority Leadership of the NYS Senate; Senator Neil Breslin; the Speaker of the Assembly; the Minority Leader of the Assembly; and, Assembly Members Ron Canestrari and Jack McEneny.

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

Resolution Number 2.11.11R was Co-Sponsored by Council Member Freeman.

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, O’Brien, Rosenzweig, Sano, and Smith

Affirmative 13 Negative 0 Abstain 0

Council Member Conti asked for passage of RESOLUTION NUMBER 123.123.10R (RESOLUTION OF THE ALBANY COMMON COUNCIL CALLING FOR STATE MANDATE RELIEF AS PART OF ANY LEGISLATION TO CAP THE GROWTH OF LOCAL PROPERTY TAXES), which had been previously introduced.

**Note: Council Member Conti spoke on this resolution prior to passage.*

Resolution Number 123.123.10R was Co-sponsored by Council Members Fahey, Freeman, Golby, Igoe, O’Brien, Rosenzweig, Sano and Smith.

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, O’Brien, Rosenzweig, Sano, and Smith

Affirmative 13 Negative 0 Abstain 0

The remaining Resolutions on the pending agenda were held at the request of Council Member Conti.

MISCELLANEOUS AND UNFINISHED BUSINESS

Council Member Herring 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, 2010, AND WAIVE THE READING OF THE NAMES:

Abate, Sr., Samuel, 93 Van Rensselaer Blvd., Albany, NY 12204
Freeman, Lester, 4 Cuyler St., Albany, NY 12202

ADJOURNMENT

Council Member Conti moved for adjournment.

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

A true record of the Common Council Minutes of January 3rd, 2011.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL