

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

Monday, February 2, 2009

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

The roll being called, the following answered to their names: Council Members Calsolaro, Conti, Ellis, Fahey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Scalzo, Smith, and Timmons.

Also present was the following staff: John Marsolais, Patrick Jordan, and Barbara Samel.

Council President Morris extended a welcome to the St. Teresa of Avila students who were present.

Council President Morris led the Pledge of Allegiance.

Council Member Conti made a motion to change the order of business to consider Resolution 14.12.09R, which was approved by unanimous voice vote.

Council Member Sano, Calsolaro, Conti, Ellis, Fahey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Scalzo, Smith and Timmons introduced the following, asked for passage and a roll call vote thereon:

Resolution Number 14.12.09R

RESOLUTION CONGRATULATING THE ST. TERESA OF AVILA SCHOOL SCIENCE CLUB ON WINNING THE LEXUS ECO CHALLENGE, A NATIONAL ENVIRONMENTAL CHALLENGE

WHEREAS, St. Teresa of Avila School took part in the Lexus Eco Challenge where students nationwide learned the importance of recycling, composting, saving endangered plant and animal species, and cleaning up parks and forests, and

WHEREAS, sixteen teams in 12 states were awarded \$10,000 each for their outstanding entries in the "Protecting the Land" Challenge. For each of the challenges, teams were required to define an environmental issue that is important to them, develop an action plan to address the issue, implement the plan, and report on the results, and

WHEREAS, members of the Science Club at St. Teresa of Avila School, put in place a paper recycling program that won the Lexus Eco Challenge. St. Teresa's was the only middle school team from New York State to win. With the help of science teacher Laura Salewski the students wrote their action plan, created fliers about recycling paper and distributed them to the parish community and also included them with the church bulletin. They scheduled a day in October for the parish community to drop off paper. They also talked to the younger students about the environment and waste and about recycling at home and in school, and

WHEREAS, the students also improved the school's in-house recycling by using Greenfiber, a company that makes insulation from recycled paper. In two months, they recycled four tons of paper. Previously, all that paper used to go into the school dumpster, and

WHEREAS, the St. Teresa of Avila Science Club includes eighth graders Cailin McKenna (President), Allison House, Ashley Evola, Clare Herubin, Carmen Hubert, Theresa Rubi, Innah Bisquera, Summer Clevenger, Jen DuMond and Faith Welch, and

WHEREAS, the students efforts have made enough impact within their community that even the City of Albany Department of General Services has taken note and is considering way to build on their success. The City of

Albany recognizes the importance of recycling and encouraging citizens and young people to work together to protect the environment, preserve natural resources and improve their communities.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany congratulates the members of the St. Teresa of Avila Science Club, their teacher Ms. Laura Salewski and Principal Sister Patricia Houlihan on their achievements and success in winning the Lexus Eco Challenge. Their creativity and commitment have made a difference within their community and the City of Albany.

**Note: There was discussion from Council Member Calsolaro congratulating the students for their accomplishments. There was discussion from Council Member Sano regarding teaching at St. Theresa of Avila and congratulating the students on their accomplishments. He also thanked Frank Zeoli for his assistance.*

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

Affirmative -- Calsolaro, Conti, Ellis, Fahey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Scalzo, Smith and Timmon

Affirmative 13 Negative 0 Abstain 0

PUBLIC COMMENT PERIOD

1. Marlon Anderson, 491 Livingston Ave., Albany, NY 12206 (State of the City)

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 from the January 5, 2009 meeting, which was approved by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS

Council Member Conti made a motion to hold the Local Laws on the pending agenda, which was approved by unanimous voice vote.

REPORTS OF STANDING COMMITTEES

Law, Buildings and Code Enforcement – Council Member Igoe stated that the committee would be meeting on March 10, 2009 to discuss Local Law F-2008, Ordinance 77.121.07 and Ordinance 73.122.08.

Parks, Recreation and Family Services – Council Member Calsolaro stated that the committee would try to set up a date with the Commissioner of Parks and Recreation to get a tour of City owned and operated facilities and programs.

Planning, Economic Development and Land Use – Council Member Herring stated that the committee would be meeting on February 11, 2009 following caucus to discuss Resolution Number 9.11.09R (Norman Rice appointment to HRC), Resolution Number 10.11.09R (Michael Yevoli appointment to the Albany Convention Center Authority), and view a Power Point Presentation on the Proposed Albany Convention Center from Mr. Duncan Stewart, Exec. Dir./CEO, Albany Convention center Authority (ACCA).

Finance, Taxation and Assessment – Council Member Sano stated the committee would be setting up a meeting to discuss Local Law L – 2008, Resolution Number 41.42.08R (Debt Policy), and DGS bonding requests once the street repair report is issued.

REPORTS OF AD HOC COMMITTEES

Ad Hoc Committee on Cable Access - Council Member Rosenzweig stated that the committee would be meeting on February 17, 2009 to get an update on the city negotiation status with Time Warner

CONSIDERATION OF ORDINANCES

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 4.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$4,550,000.00 AND AUTHORIZING THE ISSUANCE OF \$4,550,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (STREET RECONSTRUCTION)

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: Highway, roads, streets, parkways and parking areas.

Local Finance Law Section 11.00(a) Subparagraph 20(c)

Period of Probable Usefulness:	15 years
Maximum Term of Obligations:	15 years
Maximum Estimated Cost:	\$4,550,000.00
Maximum Amount of Bonds:	\$4,550,000.00
Comptroller's Bond Authorization Numbers:	A-09
Comptroller's Project Numbers:	GH 50109901

Section 2. The plan of financing such objects or purposes is the issuance of \$4,550,000.00 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 comptroller, 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 Comptroller, consistent with the provisions of Local Finance Law.

Section 7. The City Comptroller 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 Comptroller 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 of 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 February 2, 2009 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Note: Please refer to Resolution Number 4.21.09 for Section 3 thru Section 12.*

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 5.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$480,000.00 AND AUTHORIZING THE ISSUANCE OF \$480,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (SIDEWALK RECONSTRUCTION)

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: Curbs, sidewalks and gutters.

Local Finance Law Section 11.00(a) Subparagraph 24

Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years
Maximum Estimated Cost: \$480,000.00
Maximum Amount of Bonds: \$480,000.00
Comptroller's Bond Authorization Numbers: B-09
Comptroller's Project Numbers: GH 50109902

Section 2. The plan of financing such objects or purposes is the issuance of \$480,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 6.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$215,000.00 AND AUTHORIZING THE ISSUANCE OF \$215,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ADA COMPLIANCE)

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: Curbs, sidewalks and gutters.

Local Finance Law Section 11.00(a) Subparagraph 24

Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years
Maximum Estimated Cost: \$215,000.00
Maximum Amount of Bonds: \$215,000.00
Comptroller's Bond Authorization Numbers: C-09
Comptroller's Project Numbers: GH 50109903

Section 2. The plan of financing such objects or purposes is the issuance of \$215,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 7.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$330,000.00 AND AUTHORIZING THE ISSUANCE OF \$330,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (RENOVATIONS TO CITY BUILDINGS)

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: Unspecified Betterments and Improvements
Local Finance Law Section 11.00(a) Subparagraph 35
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$330,000.00
Maximum Amount of Bonds: \$330,000.00
Comptroller's Bond Authorization Numbers: D-09
Comptroller's Project Numbers: GH 14409904

Section 2. The plan of financing such objects or purposes is the issuance of \$330,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 8.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$325,000.00 AND AUTHORIZING THE ISSUANCE OF \$325,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ROOF 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: Unspecified Betterments and Improvements
Local Finance Law Section 11.00(a) Subparagraph 35
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$325,000.00
Maximum Amount of Bonds: \$325,000.00
Comptroller's Bond Authorization Numbers: E-09
Comptroller's Project Numbers: GH 14409905

Section 2. The plan of financing such objects or purposes is the issuance of \$325,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 9.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW

YORK AT A MAXIMUM ESTIMATED COST OF \$65,000.00 AND AUTHORIZING THE ISSUANCE OF \$65,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ELEVATOR RENOVATIONS)

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: Certain Building Alterations
Local Finance Law Section 11.00(a) Subparagraph 13
Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years
Maximum Estimated Cost: \$65,000.00
Maximum Amount of Bonds: \$65,000.00
Comptroller's Bond Authorization Numbers: G-09
Comptroller's Project Numbers: GH 14409907

Section 2. The plan of financing such objects or purposes is the issuance of \$65,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 10.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$200,000.00 AND AUTHORIZING THE ISSUANCE OF \$200,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CITY HALL ROOF AND BELL TOWER)

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: Unspecified Betterments and Improvements
Local Finance Law Section 11.00(a) Subparagraph 35
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$200,000.00
Maximum Amount of Bonds: \$200,000.00
Comptroller's Bond Authorization Numbers: H-09
Comptroller's Project Numbers: GH 14409908

Section 2. The plan of financing such objects or purposes is the issuance of \$200,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 11.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$175,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$175,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (GARBAGE TRUCK)

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: Motor Vehicles
Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$175,000.00
Maximum Amount of Bonds: \$175,000.00
Comptroller's Bond Authorization Numbers: J-09
Comptroller's Project Numbers: GH 81609911

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$175,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 12.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$80,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$80,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ONE-TON FLIPPER TRUCKS)

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: Motor Vehicles
Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$80,000.00
Maximum Amount of Bonds: \$80,000.00
Comptroller's Bond Authorization Numbers: K-09

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$80,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 13.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$90,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$90,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (FARM TRACTORS)

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: Motor Vehicles
Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$90,000.00
Maximum Amount of Bonds: \$90,000.00
Comptroller's Bond Authorization Numbers: L-09
Comptroller's Project Numbers: GH 81609913

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$90,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 14.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$88,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$88,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ONE-TON DUMP TRUCKS)

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: Motor Vehicles

Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$88,000.00
Maximum Amount of Bonds: \$88,000.00
Comptroller's Bond Authorization Numbers: P-08
Comptroller's Project Numbers: GH 81609917

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$88,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 15.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$150,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$150,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (LOADER MOUNTED SNOW BLOWER)

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: Machinery and apparatus for construction and maintenance
Local Finance Law Section 11.00(a) Subparagraph 28
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$150,000.00
Maximum Amount of Bonds: \$150,000.00
Comptroller's Bond Authorization Numbers: M-09
Comptroller's Project Numbers: GH 81609914

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$150,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 16.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$50,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$50,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (FORKLIFT)

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: Motor Vehicles
Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$50,000.00
Maximum Amount of Bonds: \$50,000.00
Comptroller's Bond Authorization Numbers: N-08
Comptroller's Project Numbers: GH 81609915

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$50,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 17.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$100,000.00 AND AUTHORIZING THE ISSUANCE OF \$100,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (WESTLAND HILLS BROWNFIELD REMEDIATION)

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: Parks, playgrounds and recreational areas.
Local Finance Law Section 11.00(a) Subparagraph 19(c)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$100,000.00
Maximum Amount of Bonds: \$100,000.00
Comptroller's Bond Authorization Numbers: F-09
Comptroller's Project Numbers: GH 71109906

Section 2. The plan of financing such objects or purposes is the issuance of \$100,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

Ordinance Number 18.21.09

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$90,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$90,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (FORESTER TRUCK)

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: Motor Vehicles
Local Finance Law Section 11.00(a) Subparagraph 29
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$90,000.00
Maximum Amount of Bonds: \$90,000.00
Comptroller's Bond Authorization Numbers: O-09
Comptroller's Project Numbers: GH 81609916

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$90,000.00 serial bonds hereby authorized to be issued.

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

CONSIDERATION OF RESOLUTIONS

Council Member Herring offered the following, which was referred to the Planning, Economic Development and Land Use Committee:

Resolution Number 21.21.09R

RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE APPOINTMENT OF JOHN J. WAGNER AS A MEMBER OF THE HISTORIC RESOURCES COMMISSION

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter, and Section 42-85 of Chapter 42 of the Code of the City of Albany, re-appointed John J. Wagner as a member of the Historic Resources Commission.

NOW, THEREFORE, BE IT RESOLVED, that John J. Wagner be confirmed as a member of the Historic Resources Commission for a term of three (3) years, ending December 31st, 2011.

Council Members Igoe, Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, Smith and Timmons offered the following, which was approved:

RESOLUTION NUMBER 22.21.09R (MC)

RESOLUTION CONGRATULATING ANTHONY M. SALERNO ON HIS 90TH BIRTHDAY

WHEREAS, Anthony Salerno turned 90 years old on February 1, 2009, and

WHEREAS, he has been a dynamic community volunteer known for his dedication, hard work and leadership, and

WHEREAS, Anthony was born in 1919 in Clyde, New York to Italian immigrant parents and now lives in the City of Albany on Brookline Avenue. He and his wife, Miriam, have six children and eight grandchildren, and

WHEREAS, Anthony Salerno has received numerous awards over the years for his involvement and willingness to help others including: Little Sisters of the Poor Award (2006); St. Clare’s Hospital Award (2004); Clowns on Rounds Man of the Year Award (1996); Center for Family and Youth Annual Award (1994); Honorary Doctor of Civil Law Degree from Union College (1990); Lifetime Achievement Award by Hudson Mohawk Chapter of the National Society of Fund Raising Executives (1989); Schenectady Board of Realtors Distinguished Service Award (1989); Albany Airport Rotary Club Citizen of the Year Award (1989); Rotary District 719 Citizen of the Year Award (1989); Renaming of the United Way Volunteer of the Year Award to the “Anthony Salerno Volunteer of the Year Award” by Official Citation of Mayor Karen Johnson; Schenectady YMCA Dr. Norman D. Kathan Community Service Award (1987); Schenectady County United Way Volunteer of the Year Award (1987); Schenectady Patroon Award by Mayor Karen Johnson (1986); Schenectady County Council of Boy Scouts of America Distinguished Citizen Award (1986); United Way of Schenectady County Saul King Award for Volunteerism (1985); Schenectady County Chamber of Commerce Scaneta-De-Award (1983); Schenectady County Chamber of Commerce “Bob Leonard” Award (1981-1982); Schenectady County Chamber of Commerce “Member of the Year” (1980), and

WHEREAS, Anthony Salerno has served as past Director of Trustco Bank, the Boys Club, Rotary Club of Schenectady, the Schenectady YMCA, the Hall of History Foundation, the Schenectady Museum, Schenectady County Chamber of Commerce, Very Special Arts New York, and the Schenectady Heart Association. He is the past President of the St. Clare’s Hospital Foundation, the Schenectady County Community College Foundation, and the Schenectady County Visiting Nurses Association. He is also a past Trustee of the New York State Museum and past Chairman of Leadership Giving of the United Way of Schenectady County, the Board of Trustees of the Capital District YMCA. He is a past member of the Advisory Committee of Sunnyview Hospital Foundation, the Executive Committee of Union College Annual Business Campaign, and the Advisory Committee of Schenectady County Council of Boy Scouts.

WHEREAS, Mr. Salerno presently serves on the YMCA Board of Trustees, the Little Sisters of the Poor Executive Committee and the Teresian House Foundation Auxilliary Board. He donates groceries weekly to the Blessed Sacrament Food Pantry and brings them there himself.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany congratulates Anthony M. Salerno on his 90th birthday and wishes him continued health and happiness and thanks him for his many years of service to others.

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

Affirmative -- Calsolaro, Conti, Ellis, Fahey, Fox, Herring, Igoe, O’Brien, Rosenzweig, Sano, Scalzo, Smith and Timmon

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 Conti 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 JANUARY 1, 2009 THRU DECEMBER 31, 2010, AND WAIVE THE READING OF THE NAMES:

Berti, Mary Ellen, 165 Henry Johnson Boulevard, Albany, NY 12210

Council Member Ellis made a motion to issue a subpoena to APOU President Christian Mesley to appear before the Common Council at the regular meeting of March 2, 2009 to provide testimony under oath regarding “bulls-eye” parking decals. The motion was seconded by Council Member Calsolaro.

Council Member Conti moved to table a vote on the motion until the meeting of February 19, 2009 so as to allow for a discussion of process and procedure related to the parking ticket investigation that would take place at a previously scheduled special caucus of the Council on February 12, 2009. The motion was seconded by Council Member Fahey. After discussion, the Council voted to table a vote on the motion to issue a subpoena to Mr. Mesley until the meeting of February 19.

ADJOURNMENT

There being no further business a motion was made for adjournment.

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

A true record of the Common Council Minutes of February 2nd, 2009.

**CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL**