

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

Monday, May 21, 2007

Youth in Government Night

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, McLaughlin, O'Brien, Rosenzweig, Sano, Smith, and Timmons.

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

Council Member Calsolaro led the Pledge of Allegiance.

PUBLIC HEARING

President Morris asked the Clerk to read the following notice:

Notice is hereby given that a Public Hearing will be held in the Common Council Chambers, City Hall, Albany, New York at 7:00 p.m. on Monday, May 21st, 2007, on the following matter:

ORDINANCE NUMBER 57.51.07

AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF A PORTION OF DALE PLACE IN THE CITY OF ALBANY.

Anyone wishing to be heard will have an opportunity to do so at the time and place stated.

John C. Marsolais
Clerk of the Common Council

There being no speakers, the President declared the Public Hearing closed.

PUBLIC COMMENT PERIOD

- 1) John Evers, 27 Windmill Dr., Glenmont NY 12077 (Elk's Club Youth In Government Program)
- 2) Robin Ringler, New Yorkers Against Gun Violence (Support of Ordinance 71.111.06)
- 3) Archie Goodbee, 154 Madison Ave., Albany, NY 12202 (Support of Ordinance 71.111.06)
- 4) Dr. Leonard Morgenbesser, 219 Tampa Ave., Albany, NY 12208 (Support of Ordinance 71.111.06)
- 5) Anthony Potenza, 216 Lenox Ave., Albany, NY 12208 (Support of Resolution 40.52.07R)
- 6) Kathleen Scales, 65 Whitehall Rd., Albany, NY 12208 (Support of Resolution 40.52.07R)
- 7) Herbert Kittle, 69 Dana Ave., Albany, NY 12208 (Violence in the City of Albany)
- 8) Allison Banks, Albany, NY (Gun Violence)

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

Council Member Conti made a motion to change the order of business and to take up consideration of Resolution 44.52.07R, which was approved by unanimous voice vote.

Council Member Conti asked and received majority consent to add Resolution 44.52.07R(MC) to the pending agenda.

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

RESOLUTION NUMBER 44.52.07R (MC)

RESOLUTION COMMENDING JAHSAUN LYONS AND JAMAR STURDIVANT OF THE CITY OF ALBANY FOR THEIR INTEGRITY AND HONESTY

Whereas, Jahsaun Lyons and Jamar Sturdivant are residents of Arbor Hill in the Fourth Ward, and

Whereas, Jahsaun Lyons is a fourth grade student at Arbor Hill Elementary Community School where he has many friends, eagerly participates in class, has made a big improvement in his school work this year, and loves to play sports, especially basketball, and

Whereas, Jamar Sturdivant is a fourth grade student at Arbor Hill Elementary Community School where he is very outgoing, is very helpful in the classroom, is quick to help out other students, comes to school early to do extra work, and loves to play sports including basketball, and

Whereas, on January 27, 2006, cousins Jahsaun Lyons, who was age nine at the time, and Jamar Sturdivant, who was age eight at the time, found a safe containing cash near their residences at the Ida Yarbrough Homes, brought it to their grandmother, and turned it over to the police, and

Whereas, the quality of life in our city is greatly elevated when residents take responsibility for helping others, and

Whereas, their actions demonstrated great maturity and admirable honesty. Too often we overlook the praiseworthy actions of our young people and let negative ones take center stage, and

Whereas, Jahsaun Lyons and Jamar Sturdivant deserve to be honored for their laudable actions and have demonstrated at an early age qualities of integrity, good decision making, intelligence, and caring which will contribute to their own future success as well as to the well being of our community.

NOW, THEREFORE, BE IT RESOLVED, That the City of Albany Common Council wishes to commend these two young men for the contributions they have made to our city and to express sincere appreciation to their families for the care and guidance they have provided to nurture Jahsaun and Jamar. We are proud to have them as residents of our city.

**Note: Council Member Smith read aloud Resolution 44.52.07R(MC) and presented a formal copy to honorees Jahsaun Lyons and Jamar Sturdivant. Chief of the Albany Police Department James Tuffey was invited within the bar of the Chamber and expressed appreciation for their honesty and integrity.*

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

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

Affirmative 13 Negative 0 Abstain 0

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Deferred

CONSIDERATION OF LOCAL LAWS

Council Member Conti made a motion to hold Local Law C-2006 and Local Law A-2007, which was approved by unanimous voice vote.

REPORTS OF STANDING COMMITTEES

Housing and Community Development - Council Member McLaughlin stated that the committee met on May 14, 2007 to discuss compliance with minority participation requirements at work sites and determine who is responsible for monitoring compliance/non-compliance. She stated that a follow-up meeting was tentatively scheduled for May 30, 2007.

Planning, Economic Development and Land Use – Council Member Herring stated that the committee met on May 17, 2007 and made a favorable recommendation to appoint Ms. Susan Pedo and Ms. Prairie Wells to vacancies of the Board of the Industrial Development Agency (IDA), and further recommended the appointment of Mr. James Conroy to fill the next available opening on the Board..

Parks, Recreation and Family Services – Council Member Calsolaro stated that the committee met on May 10, 2007 to discuss with a representative from Mediation Matters a proposed youth dialog to be scheduled throughout summer. He stated that the committee would be meeting on May 23, 2007 to discuss this year's summer youth programs with the City of Albany Parks Department.

Finance, Taxation and Assessment - Council Member Sano stated the committee would be meeting on May 29, 2007 to discuss Ordinance 50.51.07 (Bleecker Stadium Lighting System) and to hear from City of Albany Comptroller Tom Nitido on the quarterly financial report

CONSIDERATION OF ORDINANCES

Council Members McLaughlin and Sano introduced the following, which was held:

Ordinance Number 58.52.07

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 32 CLINTON STREET (TAX MAP #76.65-2-3), 35 BROAD STREET (TAX MAP #76.65-2-85), 37 BROAD STREET (TAX MAP #76.65-2-84), 39 BROAD STREET (TAX MAP #76.65-2-83) AND 441 NEW SCOTLAND AVENUE (TAX MAP #75.26-2-8) IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO THE ALBANY PUBLIC LIBRARY.

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 properties known as 32 Clinton Street (Tax Map #76.65-2-84), 35 Broad Street (Tax Map #76.65-2-85), 37 Broad Street (Tax Map #76.65-2-84), 39 Broad Street (Tax Map #76.65-2-83) and 441 New Scotland Avenue (Tax Map #75.26-2-8) be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to the Albany Public Library.

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

Section 2. It is hereby determined that the aforesaid property has 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 Conti introduced the following, which was held:

Ordinance Number 59.52.07

AN ORDINANCE AMENDING PART 21 (COMMON COUNCIL), PART 10 (BOARD OF CONTRACT AND SUPPLY) AND PART 14 (BOARD OF ESTIMATE AND APPORTIONMENT) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO COMMON COUNCIL OPERATING PROCEDURES

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

Section 1. Chapter 42, Part 21, Article XXXI of the Code of the City of Albany is hereby amended to read as follows:

Part 21 - Common Council

ARTICLE XXXI - General Provisions

§ 42-223. Common Council Rules and Operating Procedures.

This Article sets forth the basic operating procedures for the City of Albany Common Council. The Common Council also follows its own “Rules of Procedure” adopted by resolution of the Common Council at the annual organizational meeting and amended from time to time.

§ 42-224 [42-223]. Common Council [;] minutes [; publication; distribution; bound].

The minutes of each meeting of the Common Council shall comply with the requirements of the NYS Open Meetings Law and any requirements contained in the Common Council Rules of Procedure.

Minutes of each official meeting [be published in the official newspapers and] shall be printed in full within six days after [the] adjournment and immediately distributed, one to the Mayor, one to each member of the Common Council and one to the head of each department. At the end of the year the printed minutes [and reports of the City officers shall be printed and bound in adequate number.] shall be maintained by the City Clerk as an official city record.

[§ 42-224. Board of Estimate and Apportionment; minutes; Board of Contract and Supply; distribution; bound.

The minutes of each meeting of the Boards of Estimate and Apportionment and Contract and Supply shall be printed in full and distributed, one to each member of such Boards and of the Common Council and one to the head of each department. At the end of the year the printed minutes shall be indexed and bound in adequate number.]

§ 42-225. [Aldermen; q] Quorum; President.

[A majority of the Aldermen elected] Eight members of the Common Council shall constitute a quorum, but [a smaller] any number may adjourn from time to time and compel the attendance of absent members at official meetings. The Council shall be called to order by the President or, if [he be] the President is absent, by the President Pro- Tempore, who shall preside until the President appears.

[§ 42-226. Order of business.

After calling the roll and reading and approving of minutes, the order of business, which shall not be departed from except by the consent of a majority present, shall be as follows:

- A. Local laws.
 - (1) Introduction of local laws.
 - (2) Messages from the Mayor relative to local laws.
 - (3) Public hearing on local laws.
 - (4) Discussion on local laws.
- B. Communications from the Mayor, heads of departments and City officers.
- C. Consideration of vetoes.
- D. Presentation of petitions, remonstrances and communications.
- E. Reports of standing committees.
- F. Reports of select committees.
- G. Consideration of accounts and appeals.
- H. Consideration of ordinances.
- I. Resolutions.
- J. Miscellaneous or unfinished business.]

[§ 42-227. Local laws; introduction and procedure.

- A. Every local law shall be introduced by a member or on the report of a committee.
- B. Every local law introduced shall be in duplicate and shall have endorsed thereon a statement of its title with the name of its introducer.
- C. If a local law purports to supersede an existing provision of the Charter or of another state law, it shall indicate in the next to the last section thereof the particular provision which is to be superseded.
- D. If a local law purports to amend an existing local law, it shall when practicable show all the new matter underscored and all the matter to be eliminated in brackets, and, when such local law is printed or reprinted, all new matter must appear in italics and all matter to be eliminated in brackets.
- E. Every local law introduced shall be deposited with the Clerk and shall be read in its order of introduction when the order of business, "Introduction of Local Laws," shall be reached.
- F. The Clerk shall cause every local law immediately upon its introduction to be printed and placed on the desks of the members; he shall number them consecutively as received. Such number law shall be retained as an introductory number. Each local law shall also have a print number, and if the same is printed, the original print number shall be retained and there shall be added its new print number.
- G. The Clerk shall transmit to the City Clerk a certified copy of every local law upon its enactment and such local laws as are subject to mandatory referendum or referendum on petition. The City Clerk shall within three days after the taking effect of a local law file three certified copies thereof in the office of the Secretary of State.
- H. No such local law shall be passed until it shall have been in its final form and upon the desk of the members at least seven calendar days, exclusive of Sunday, prior to its final passage, unless the Mayor shall have certified as to the necessity for its immediate passage, and such local law be passed by the affirmative vote of two-thirds (2/3) of the voting power of the Common Council.]

[§ 42-228. Petitions, memorials and resolutions; introduction and procedures.

All petitions, memorials, resolutions or other papers, previously to their being handed to the Chair, shall have a brief statement of their contents indorsed thereon, together with the name of the member presenting the same, and when requested, the same shall be read by the Clerk before reference or voting thereon.]

§ 42-226 [42-229. President; s] Special meeting; procedures.

The President of the Common Council or a majority of its members may call a special meeting by causing a written notice thereof specifying the objects of the meeting to be served by the City Clerk upon each member personally, [or by mail directed to his place of residence or place of business,] by mail, facsimile, or electronic mail at least 24 hours before the time of such meeting [, and]. The City Clerk shall make every reasonable attempt to insure that each council member actually receives notice of

the special meeting. N [n]o other business than that stated in said notice shall be transacted at such meeting.

[§ 42-230. Committees and officers; report.

All committees and officers of the Council to whom any petition, account or other matter shall be referred, shall make a report thereon in writing at the first regular meeting after such reference; and the presiding officer at each regular meeting shall call upon such committees and officers for their reports in the order stated in Rule 2, and committees and officers, on making their reports, shall return the petition, account or other matter referred.]

[§ 42-231. Reports.

All reports shall be entered on the minutes and filed with the Clerk.]

[§ 42-232. Proposed laws; printed copy; distribution; when.

A printed copy of all proposed laws shall be delivered, under the direction of the Clerk, to each member of the Council, at least six days before the same shall be put upon their passage.]

[§ 42-233. Executive session; procedures.

For the consideration of all cases mentioned in Rule 32, the Council may, with the consent of 10 members thereof, resolve itself into executive session, at which session the Council may exclude all persons from the room, except the Aldermen and the Clerk of the Common Council.]

[§ 42-234. President; procedures to leave Chair.

Whenever the President may wish to leave the Chair, he shall substitute the President Pro Tem or, if he be absent, any member in his place, but to act for that meeting only.]

[§ 42-235. Debate; procedure.

No question shall be debated or put unless the same shall be seconded. When a motion is seconded, it shall be stated by the President before debate, and every such motion shall be reduced to writing if any member request it.]

[§ 42-236. President; motion; withdrawal.

After a motion is stated by the President, it shall be deemed to be in the possession of the Council; but it may be withdrawn at any time by the mover, before decision or amendment, by unanimous consent.]

[§ 42-237. Questions of order; procedure.

Questions of order shall be decided by the Chair without debate, subject to an appeal to the Council, which shall also be decided without debate. A member called to order shall immediately take his seat, unless permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to.]

[§ 42-238. Committees; appointment; Chairman.

All committees shall be appointed by the President Pro Tem. The first person named in the appointment of a committee shall be the chairman thereof.]

[§ 42-239. Motions to adjourn.

Motions to adjourn, to lay on the table and for the previous question shall always be in order, and shall be decided without debate.]

[§ 42-240. Filling of blanks; procedure.

When a blank is to be filled, and different sums, numbers or times are proposed, the question shall first be put on the greatest number, longest time and largest sum.]

[§ 42-241. Division of question.

Any member may require a division of the question which may contain two or more distinct propositions.]

[§ 42-242. Addressing the Chair.

No speaker or member shall speak or debate upon any question unless he shall address the Chair standing.]

[§ 42-243. Members speaking; time allowed.

No member shall speak more than twice on any question unless by permission of the Council, nor more than once until every member choosing to speak shall have spoken. No member shall be allowed to speak longer than five minutes to explain his vote on any question.]

[§ 42-244. Deliberations; orderly conduct.

A. No conversation shall be permitted in the Council that will disturb the deliberations thereof, nor shall any question or resolution be presented or discussed so long as any other matter undisposed of shall be before the Council for deliberation.

B. Every member of the Council shall, during its meetings, conduct himself in an orderly and gentlemanly manner, and no personalities nor any conduct or language likely to create any disturbance shall be allowed.]

[§ 42-245. Votes; reconsideration of.

When a question has once been put and decided, it shall not be in order for any member voting in the minority on such question to move for the reconsideration of any vote thereof. No motion for the reconsideration of any vote shall be in order unless made prior to the adjournment of the meeting which decided the question, and no question or vote on said subject matter shall be a second time reconsidered.]

[§ 42-246. Voting; procedure.

In all propositions involving an appropriation or expenditure of money, or authorizing a sale or lease of City real estate, or of any franchise belonging to or under the control of the City, or when voting to

inflict a fine or penalty, or upon appeal questions, the ayes and noes shall be taken, but on all other questions the ayes and noes shall only be taken whenever so required by at least four members.]

[§ 42-247. Admittance to session of Council; permission required.

No person except members, ex-members of the Common Council, City officers and official reporters shall be allowed to come within the bar during the session of the Council, without the permission of the Council.]

[§ 42-248. Standing committees; appointed biennially; vacancies.

The standing committees shall be appointed biennially, and as soon after the organization as practicable. In case of vacancies in committees they shall be filled by the President Pro Tem. A majority of all committees shall be a quorum for the transaction of business.]

[§ 42-249. Standing committees; members.

The standing committees shall each consist of three members, unless otherwise indicated, and shall be as follows:

Academies and Schools (five members)

Accounts and Appeals (five members)

Applications to the Legislature

Docks and Ferries

Fire Department

Land

Law

Levels

Markets

Navigation, Trade and Commerce

Police

Printing

Privileges and Elections

Public Buildings (five members)

Public Celebrations and Entertainments (seven members)

Railroads (five members)

Relations of City and County

Streets and Sewers, Northern Section

Streets and Sewers, Southern Section

Streets and Sewers, Western Section

Water (five members)]

[§ 42-250. Committees; procedure.

No report of any committee shall be received, nor shall any matter of business be transacted by any committee except a majority of said committee be actually assembled, and in no case unless said committee meeting be called by the Chairman or a majority of said committee, and every member thereof be notified and have a reasonable time to be present at said meeting.]

[§ 42-251. Committees; powers and authority.

A. No committee shall have the power of employing any person for or on behalf of the City, or incur any expense except in such cases as herein provided, unless specially authorized by the Common Council.

B. Every committee shall have power and authority to send for persons and papers, and examine witnesses under oath, pursuant to the laws of the state, in any matter or proceeding referred to or before it; and such examination, together with all papers and proceedings, shall be returned to the Common Council.]

[§ 42-252. Returned ordinances with objections by Mayor; procedures.

A. Upon the return of any ordinance, with objections by the Mayor, the objections shall be read and entered at length on the minutes, and the Clerk shall forthwith cause the same to be published in the corporation newspapers at length one time; and no other action or debate in reference to said matter shall be had thereon at that meeting; and no action shall be had on said ordinance or objections, at any meeting held less than five days after such objections have been received by the Council.

B. When an ordinance has been returned with objections by the Mayor, the question to be put by the Chair shall be, "Shall the ordinance be passed notwithstanding the objections of the Mayor?"

§ 42-253. Quorum; members; absent; City Marshal.

[A.] In case [a less number] the Common Council shall convene with less than a quorum [of the Common Council shall convene] at any regular or special meeting; or, if, while any meeting is in progress, any less number than a quorum shall be present, the majority of the members [of such Common Council] present are authorized to send [the City Marshal, or any other person] a police officer for any or all absent members, as such majority of members shall agree.

[B. Such City Marshal or other person so authorized shall have power to arrest such absent member or members and detain him or them until discharged by the Common Council, and for any such neglect to attend, or a violation of any rule of this Council, or for disorderly conduct, such censure or pecuniary penalty or expulsion may be inflicted as they may deem just, on those who shall render no sufficient excuse for their absence, or for violation of rule, or disorderly conduct.]

[§ 42-254. Common Council members; violations; investigation; secret session.

When any member of the Common Council shall be charged (which charge shall be in writing, and presented at a meeting of the Common Council) with any violation of any law or ordinance of said City, or resolution, rule or regulation of said Council, the matter shall be referred at said meeting to a committee of investigation of not fewer than five members. The member charged shall have the right to object to not more than two members named on said committee; and the member complaining or charging shall have the same privilege, and other members shall be appointed to fill vacancies thus created. The member charged shall be served with a copy of said charges and notice when said committee shall hear the same. The committee shall then investigate the charges pursuant to such notice, and report to the Council. When the report of any such committee of-investigation shall be considered, the Council may order a secret session for that purpose.]-

[§ 42-255. Rules; altered, suspended or rescinded; procedures.

No rule of this Council shall be altered, suspended or rescinded unless by a majority vote of all members elected, and no motion to alter, suspend or rescind any such rule shall be in order without the unanimous consent of the Council, unless notice thereof shall have been given at the previous regular meeting, and no motion to suspend shall embrace more than one rule or relate to any other subject than the one specified in said motion.]

[§ 42-256. Proceedings of Council; Croswell's Manual.

The proceedings of this Council shall be governed by the rules as published in Croswell's Manual, in all cases not provided for by the foregoing rules.]

[§ 42-257. Resolutions; procedures on submitting.

All resolutions shall be received by the President (or presiding officer), and submitted to the Council in the following order, viz.: from the Aldermen of the several wards as they are numbered in numerical order, commencing with the First Ward at the first regular meeting in January and the following regular meeting commencing with the Nineteenth Ward, and in like manner so alternating at each session of the Council thereafter.]

§ ~~42-227~~ [42-258]. Regular meetings; schedule.

The regular official meetings of the Council shall be held on the first and third Mondays of each month. The Common Council [board] shall convene at 7:00 [8:00] p.m. Regular meetings of the Common Council may be changed by consent of the Council President, President Pro-Tempore and Majority Leader, when the regular meeting date falls on a holiday, religious or cultural observance. The public shall be notified of the new date as provided in the NYS Open Meetings Law.

[§ 42-259. Duties of committees.

- A. The Committee on Academies and Schools shall consist of five members, whose duty it shall be to take into consideration all matters and things pertaining to the academies and schools relating to educational matters in said City as shall be referred to it.
- B. The Committee on Accounts and Appeals shall consist of five members, whose duty it shall be to take into consideration all such accounts, claims and appeals as shall be referred to it.
- C. The Committee on Applications to the Legislature shall consist of three members, whose duty it shall be to take into consideration and have charge of all statutes and amendments to same proposed or recommended by the Common Council for passage as shall be referred to it.
- D. The Committee on Docks and Ferries shall consist of three members, whose duty it shall be to consider and report upon any subject relating to the occupancy and repairing of docks and ferries in said City, and such other matters connected therewith as may be referred to it.
- E. The Fire Department Committee shall consist of three members, and its duty shall be to consider and report upon all matters connected with the Fire Department of the City of Albany, the good government and management, efficiency and expense thereof.
- F. The Land Committee shall consist of three members, and its duty shall be to consider and report upon any proposed leasing or sale of any City property; and, subject to the special instruction and direction of the Common Council, conduct the leasing or sale of said City property.
- G. The Law Committee shall consist of three members, who shall be members of the Council, and, with the Corporation Counsel, form the Law Department, according to law and the rules and ordinances of the Common Council.
- H. The Committee on Levels shall consist of three members. Its duty shall be to consider and report upon any proposition to establish or change any level or grade of any street, sidewalk or alley in said City.
- I. The Market Committee shall consist of three members, and its duty shall be to consider and report upon any subject connected with the public market of said City, and the regulation and government of the same.
- J. The Committee on Navigation, Trade and Commerce shall consist of three members. Its duty shall be to consider and report upon all matters connected with the navigation of the Hudson River and the Erie Canal, and the trade and commerce thereof or connected therewith, and such other matters as may be referred to it.
- K. The Police Committee shall consist of three members, and its duty shall be to examine and report upon all matters connected with the police of said City, including its efficiency and expense.

- L. The Printing Committee shall consist of three members, and its duty shall be to examine and report upon all matters connected with the printing and stationery authorized by law or the Common Council.
- M. The Committee on Privileges and Elections shall consist of three members, and its duty shall be to examine and report upon all matters referred to it pertaining to the privileges and conduct of the members of the Common Council, under any rule of said Common Council or law of the state; to examine all questions growing out of elections in said City and all questions arising on the election and appointment of any City officer or member of said Common Council.
- N. The Committee on Public Buildings shall consist of five members, and its duty shall be to take into consideration and report upon all matters relating to the keeping in order and keeping in repair all public buildings and their furniture and appurtenances, except as otherwise provided either by law, ordinance or resolution.
- O. The Committee on Public Celebrations and Entertainments shall consist of seven members, and it shall have the charge and management of all public celebrations and entertainments authorized by the Common Council; and all matters arising out of or relating thereto shall, when referred to it, be duly considered and reported by it.
- P. The Railroad Committee shall consist of five members, and its duty shall be to consider and report upon all matters referred to it relating to the railroad corporations; to be careful and vigilant in requiring said corporations to fulfill their compacts with the City; and that the rights of the City and citizens be duly protected; and to report to the Common Council thereon whenever deemed expedient by said Committee or required by said Common Council.
- Q. The Committee on Relations of City and County shall consist of three members, and its duty shall be to consider and report upon all matters referred to it.
- R. The Street Committee of the Northern, Southern and Western Sections shall consist of three members each, and its duty shall be to consider and report upon all matters, referred to it relating to the streets, sewers, cesspools, etc., in their respective sections, including the propriety of the change or repair of pavement, or the relaying of sidewalks and carriageways, and the construction or repairing of sewers and cesspools.
- (1) The Northern Section embraces all that portion of the City north of the north line of State Street and east of the east line of Eagle Street, and the continuation of said east line of Eagle Street to the south line of Clinton Avenue, and all north of the south line of Clinton Avenue.
 - (2) The Southern Section embraces all that portion of the City south of the north line of State Street and east of the east line of Eagle Street, including that portion of the late Town of Bethlehem.

(3) The Western Section embraces all that portion of the City west of the east line of Eagle Street and south of the south line of Clinton Avenue.

S. The Water Committee shall consist of five members, and its duty shall be to consider and report upon all communications and resolutions and other matters connected with the City water of said City, or communication relating to the same coming from the Commissioner of Public Works.]

[§ 42-260. Public hearings; publication; Mayor.

Whenever a local law after its passage by the Common Council of the City of Albany shall be presented to the Mayor for approval he shall forthwith fix a date for a public hearing concerning such local law, and cause public notice of the time and place of such hearing to be given. Such notice shall be given by publication for two successive days in the official newspaper or newspapers. Such hearing shall be held not earlier than five days after the day of the last publication of such notice. Such notice shall contain the title of the local law and an explanatory statement concerning the same. The Mayor shall attend at the time and place appointed for such hearing and afford an opportunity for a public hearing concerning such local law. Such hearing may be adjourned from time to time but an adjournment shall not operate to extend the time of the Mayor to approve such local law or return it to the Common Council with his objections pursuant to the City Home Rule Law.]

[§ 42-261. Inventory of property; report to Council; City Treasurer.

It shall be the duty of every City officer, board or commission having in his or its charge any City property to report to the Common Council annually, at the close of the fiscal year, an inventory of the property so held, setting its actual and just value, a copy of which inventory shall also be filed by said City officer, board or commission with the City Treasurer.]

Section 2. Section 42-148 of Article XX of Chapter 42 of the Code of the City of Albany is hereby amended as follows:

§ 42-148. Meetings; [Mayor] minutes.

The regular meetings of said Board shall be held at its office on the first and third Tuesdays of each month, at such hour as may be fixed by the Board. Special meetings of said Board shall be held at any time upon the call of the Mayor. The minutes of each meeting shall be distributed to each member of the Board, the Common Council, and to each department head within two weeks of each meeting. At the end of the year the minutes shall be indexed and maintained in a separate binder.

Section 3. Section 42-183 of Article XXIV of Chapter 42 of the Code of the City of Albany is hereby amended as follows:

§ 42-183. Power and authority; minutes.

A. The Board of Estimate and Apportionment of the City of Albany shall have power and authority to increase the salary or compensation of any City employee at any time during any fiscal year of the City, either before or after the appointment of any such employee, whether or not such salary or compensation shall previously have been fixed or provided for in the budget of said City for said fiscal year. Any such increases which the Board of Estimate and Apportionment may make after the adoption of the budget for any fiscal year of the City and which shall become effective during said fiscal year may be paid from any available funds or accounts as said Board shall determine. When the salary of the Corporation Counsel or the City Engineer is under consideration by the Board of Estimate and Apportionment, the Treasurer shall temporarily take the place on said Board of either of said members whose salary is under consideration.

B. The minutes of each meeting shall be distributed to each member of the Board, the Common Council, and to each department head within two weeks of each meeting. At the end of the year the minutes shall be indexed and maintained in a separate binder.

Section 4. This ordinance shall take effect immediately.

Council Member Calsolaro introduced the following, which was referred to the Public Safety Committee:

Ordinance 60.52.07

AN ORDINANCE AMENDING PART 3 (DEPARTMENT OF PUBLIC SAFETY) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO POLICE REPORTING.

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

Section 1. Chapter 42, Part 3, Article XI of the Code of the City of Albany is amended by adding thereto a new Section 42-72 entitled “Police Department Reporting Requirements” to read as follows:

§ 42-72. Police Department Reporting Requirements.

A. The Chief of Police shall submit to the Common Council on a quarterly basis the following materials, data and reports:

(1) The number of illegal weapons confiscated separated by the offense they were used in relation to or, if seized as property, whether they were seized alone, with less than 5 other illegal weapons, or with 5 or more other illegal weapons;

(2) The number of arrests for possession of illegal weapons, the number of arrests for illegal gun trafficking, and a list of gun trafficking charges lodged for gun trafficking offenses, including the number of individuals charged with each of these gun trafficking offenses.

Section 2. This ordinance shall take effect immediately.

Council Member Smith on behalf of Council Member Scalzo introduced the following, which was referred to the Public Safety Committee:

Ordinance Number 61.52.07

AN ORDINANCE AMENDING CHAPTER 8 (POLICE INFORMATION REWARD PROGRAM) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO IMPLEMENTATION OF THE REWARD PROGRAM

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

Section 1. Chapter 8 of the Code of the City of Albany is hereby amended to read as follows:

**CHAPTER 8
POLICE INFORMATION REWARD PROGRAM**

Section 8-1. Intent.

The Common Council enacts this legislation mindful of the ever increasing victimization of the citizenry associated with the illicit sale and use of drugs and guns, in order to combat the same and in the general interests of the public health, safety and welfare.

Section 8-2. Creation.

A. There is hereby created, in accordance with § 91 of the General Municipal Law of the State of New York, a program for the establishment of a reward to be paid for the provision of information leading to the detection, arrest and felony conviction of a person or persons engaged in and guilty of illicit drug use and/or trafficking or gun-related violation in the City of Albany.

B. There is hereby created, in accordance with § 91 of the General Municipal Law of the State of New York, a program for the establishment of a reward to be paid for the provision of information leading to the detection, arrest and misdemeanor conviction of a person or persons engaged in and guilty of defacing public or private property in the City of Albany.

Section 8-3. Implementation and monitoring.

This reward program shall be implemented and monitored by the [Board of Estimate and Apportionment, which] Police Information Reward Board (PIRB) which shall consist of the Mayor Chief of Police, Comptroller, or their designees, and the members of the Common Council Committee on Public Safety. PIRB is hereby authorized to effect such rewards in amounts not to exceed \$25,000 each, and in accordance with rules, guidelines and procedures to be promulgated by said Board with the advice and consent of the Common Council.

§ 8-4. Appropriation of money.

The moneys necessary to effectuate this program are hereby appropriated from the general fund.

Section 2. This ordinance shall take effect immediately.

Council Member Conti introduced the following, which was held:

Ordinance Number 62.52.07

AN ORDINANCE AMENDING CHAPTER 75 (POLICY DOCUMENT REPOSITORY) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE DEFINITION OF NONBINDING CITY POLICY.

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

Section 1. The definition of "NONBINDING CITY POLICY" as contained in section 75-2 (Definitions) of the Code of the City of Albany is amended to read as follows:

NONBINDING CITY POLICY — A statement of the Common Council's opinion that does not have binding effect or serve as mandatory approval criteria for future decision-making. [Such resolutions must state in their text that they are "nonbinding City policy."]

Section 2. This ordinance shall take effect immediately.

Council Member O'Brien moved to amend Ordinance 44.31.07 and, having been amended, asked for passage and a roll call vote thereon as follows:

Ordinance 44.31.07 (As amended)

AN ORDINANCE AMENDING ARTICLE I (REMOVAL OF GARBAGE) OF CHAPTER 313 (SOLID WASTE) OF THE CODE OF THE CITY OF ALBANY

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

Section 1. Sections 313-4 and 313-7 of Article I of Chapter 313 of the Code of the City of Albany is hereby amended as follows:

ARTICLE I Removal of Garbage

§ 313-4. Preparation and placement of household refuse for collection.

- A. All garbage must be containerized using heavy-duty plastic bags, metal or plastic containers. Such metal or plastic containers shall have a maximum volume of 50 gallons and shall be fitted with lids. The ends of plastic bags shall be tied securely.
- B. Other trash and rubbish.
 1. All other small trash and rubbish is to be either bagged or tied in plastic bags as aforesaid.
 2. Grass, leaves and other yard waste and debris shall be placed in biodegradable paper bags approved for such use and/or made available by the City of Albany and placed at curbside for collection in accordance with § 313-5.
 3. Tree trimmings shall be tied in bundles not exceeding four feet in length.
- C. Bulky rubbish. Special arrangements must be made with the Department of General Services for the collection of large items such as household appliances (stoves or refrigerators), overstuffed furniture, mattresses, bedsprings and the like.
- D. Dangerous materials. Broken glass must be independently wrapped before placing in plastic bags.

- E. Building materials. Rules and regulations concerning building materials shall be covered under § 313-8.
- F. Garbage regarded as a health and/or safety risk. Garbage on private property that creates a health and/or safety risk to the general public will be removed from the premises by trained Department of General Services personnel, after being deemed a health and/or safety violation by a trained supervisor appointed by the Commissioner.
 - 1. Waste Materials that are deemed a health and/or safety violation include but are not limited to: raw trash, raw meat, feces, deceased animals, hazardous waste materials and excessive trash on private property that attracts rodents, wildlife, birds and/or insects.

§ 313-7. Penalties for offenses.

- A. Any person, firm, partnership, corporation or other entity who or which shall knowingly and willingly violate or assist in the violation of the provisions of this article, or who or which fails to comply with a lawful directive from the Commissioner of General Services concerning the provisions of this article, shall be guilty of a violation and subject to a fine not to exceed \$250, imprisonment, or both, for each such offense together with any and all costs of the Department of General Services in correcting or abating said violation, including all associated court costs.
- B. Additionally, containers that are in a dilapidated or unsanitary condition, are oversized or otherwise do not conform to the requirements set forth herein shall be removed by the Department of General Services upon the violator's failure, along with a written notice, to do so.
- C. In determining violations concerning multiple dwellings, the Commissioner of General Services shall have the power, discretion and duty, after due investigation, to apportion liability between and/or among the property owner and residents responsible therefor.
- D. Health and safety violation put the general public at risk therefore no prior notice will be given. The owner of the property shall remain subject to the penalties contained in subsection A of this section.

Section 2. Except as herein amended the provisions of Chapter 313 are hereby ratified, continued and approved.

Section 3. This ordinance shall take effect immediately.

Ordinance 44.31.07(As Amended) was Co-Sponsored by Council Members Rosenzweig and Sano.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Sano asked for passage and a roll call vote thereon on ORDINANCE 57.51.07 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF A PORTION OF DALE PLACE IN THE CITY OF ALBANY), which had been previously introduced.

Ordinance 57.51.07 was Co-Sponsored by Council Member Fox.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Sano asked for passage and a roll call vote thereon on ORDINANCE 51.51.07 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO THE PORTION OF DALE PLACE ADJACENT TO 510 WEST LAWRENCE STREET IN THE CITY OF ALBANY, NEW YORK TO JULIE ELSON AND MICHAEL KALIN AND MIRIAM G. KOBLLENZ REVOCABLE TRUST), which had been previously introduced.

Ordinance 51.51.07 was Co-Sponsored by Council Members Fahey and Fox.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Sano asked for passage and a roll call vote thereon on ORDINANCE 56.51.07 (AN ORDINANCE AMENDING ORDINANCE 27.23.07 TO READ "AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF"), which was previously introduced.

Ordinance 56.51.07 was Co-Sponsored by Council Member Igoe.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Smith asked for passage and a roll call vote thereon on ORDINANCE 52.51.07 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 20 EMMET STREET (TAX MAP #65.52-1-63) IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO JAMES ANTHONY GARDY, SR.), which had been previously introduced.

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

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

Affirmative 13 Negative 0 Abstain 0

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

CONSIDERATION OF RESOLUTIONS

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

Resolution Number 40.52.07R

RESOLUTION OF THE COMMON COUNCIL SUPPORTING STATEWIDE REFORM OF INDUSTRIAL DEVELOPMENT AGENCIES. (IDAs)

WHEREAS, Industrial Development Agencies (IDAs) are an important economic development tool to promote job creation and retention in our communities and are the main source of economic development subsidies at the local and county level; and

WHEREAS, when IDAs do not use tax payer dollars effectively they fail to provide a good return on public investment; and

WHEREAS, it is necessary to ensure that businesses receiving financial assistance through IDAs provide quality jobs and services to local communities as these communities are sacrificing needed tax revenue; and

WHEREAS, portions of Article 18-A of the NYS General Municipal Law governing the operations of IDAs are scheduled to sunset this year; and

WHEREAS, the expiration of these provisions provides an opportunity to strengthen the standards, accountability and transparency of IDAs to taxpayers, local governments and school districts;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany supports state reform of IDAs; and

BE IT FURTHER RESOLVED, that such reform should include: mandates for basic wages and benefits, including compliance with prevailing wage laws; community and environmental standards for companies receiving IDA financial assistance; enforcement of claw back penalties for businesses that do not meet agreed upon job retention and creation goals; enhanced public input into IDA projects through public hearings and community impact reports; increased transparency of IDAs by giving the public access to IDA tax exemption policy and current schedules of PILOT payments; increased accountability to taxpayers by mandating diverse community representation on IDA boards and the approval of governing bodies of affected tax jurisdictions on IDA projects; and the creation of stronger anti-pirating provisions for IDAs; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution suitably engrossed be transmitted to our local legislative representatives, the majority and minority leadership of the State Legislature and the chairs of the Senate and Assembly Committees on Local Government.

Resolution Number 40.52.07R was Co-Sponsored by Council Members Calsolaro, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Smith and Timmons.

**Note: Prior to passage Council Member Conti moved to amend the resolution to include a reference to compliance with prevailing wage laws, which was adopted.*

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Conti asked and received majority consent to add Resolutions Number 41.52.07R(MC), 42.52.07R(MC), 43.52.07R(MC), and 45.52.07R(MC) to the pending agenda, which was approved by unanimous voice vote

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

Resolution Number 41.52.07R(MC)

RESOLUTION OF THE COMMON COUNCIL APPROVING THE TRANSFER OF \$5,242,261.00 TO VARIOUS ACCOUNTS IN ACCORDANCE WITH CITY CHARTER SECTION 603.

WHEREAS, Albany City Charter Section 603 requires Common Council approval for budgetary transfers in excess of four percent of the budget; and

WHEREAS, the Comptroller has calculated year-to-date transfers to ensure that they do not exceed allowable transfers; and

WHEREAS, four percent of the 2006 budget totals \$5,804,960 and the final reconciliation of the 2006 budget requires \$5,016,849 in excess of transfers permitted pursuant to the Albany City Charter.

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves, the transfer of the following funds from various Accounts:

			DECREASE	INCREASE
REVENUE	A.0000.1081	Other Payments/Lieu Tax		3,486,324.00
EXPENSES				
			INCREASE	DECREASE
Police	A3120.7100	Executive		210,462.00
	A3120.7110	Supervisory	103,784.00	
	A3120.7120	Prof/Tech		32,196.00
	A3120.7130	Public Safety/Oper.		102,311.00

	A3120.7150	Clerical		84,845.00
	A3120.7190	Holiday Pay	7,501.00	
	A3120.7192	Longevity Pay		74,289.00
	A3120.7193	Line-up Pay/Cloth Allow	69,334.00	
	A3120.7194	Police Expense		10,331.00
	A3120.7195	Step Increase		20,027.00
	A3120.7198	Overtime/Reimbursable	820,443.00	
	A3120.7199	Overtime	645,714.00	
	A3120.7412	Uniforms	669.00	
	A3120.7420	Utilities	19,520.00	
	A3120.7440	Contracted Svcs	327,194.00	
	A3120.7801	Social Security	39,337.00	
	A3120.7802	Retirement	1,150,704.00	
	A3120.7803	Compensation		72,968.00
	A3120.7804	Hosp. & Med Ins		301,786.00
	A3120.7813	Comp-Medical		36,822.00
Dept. Total			3,184,200.00	946,037.00
Fire/Emerg/Bldg	A3410.7100	Executive	32,685.00	
	A3410.7110	Supervisory		16,528.00
	A3410.7130	Public Safety/Oper.	319,063.00	
	A3410.7140	Trades	8.00	
	A3410.7189	EMT Stipend		6,499.00
	A3410.7190	Holiday Pay	25,333.00	
	A3410.7191	Code Enforcement Stipend		14,903.00
	A3410.7192	Longevity	83,505.00	
	A3410.7195	Step Increases		28,299.00
	A3410.7196	Kelly Day Pay	12,326.00	
	A3410.7197	Accumulated Sick Leave		17,016.00
	A3410.7199	Overtime	429,141.00	
	A3410.7220	Office Equip	579.00	
	A3410.7250	Other Equipment	42,171.00	
	A3410.7410	Supplies/Materials		6,707.00
	A3410.7412	Uniforms		9,570.00
	A3410.7415	Apparatus Parts/Repair		11,482.00
	A3410.7420	Utilities	27,058.00	
	A3410.7428	Demolitions		98,340.00
	A3410.7430	Insurance	43,448.00	
	A3410.7440	Contracted Svcs		17,146.00
	A3410.7442	Training Fund		7,576.00
	A3410.7450	Fees & Service	297.00	
	A3410.7465	EMS Expense		14,714.00
	A3410.7801	Social Security	6,380.00	
	A3410.7802	Retirement	458,616.00	
	A3410.7803	Compensation		68,264.00
	A3410.7804	Hospital & Medical Ins		294,972.00

	A3410.7805	Disability Retirement		139,884.00
	A3410.7813	Compensation-Med		58,000.00
Dept. Total			1,480,610.00	809,900.00
Street Lighting	A5182.7420	Utilities	577,451.00	
Dept. Total			577,451.00	0.00
TOTAL			5,242,261.00	5,242,261.00

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Herring introduced the following, asked for passage and a roll call vote thereon :

Resolution Number 42.52.07R(MC)

RESOLUTION OF THE COMMON COUNCIL APPOINTING SUSAN M. PEDO AS A MEMBER OF THE CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, pursuant to the provisions of Sections 856 and 903-a of the General Municipal Law the Common Council of the City of Albany has the authority to appoint members of the Industrial Development Agency.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany, duly convened does hereby appoint Susan M. Pedo as a member of the City of Albany Industrial Development Agency; and

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

Resolution 42.51.07R was Co-Sponsored by Council Members Conti, Ellis, Fahey, Sano and Smith.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Herring introduced the following, asked for passage and a roll call vote thereon:

Resolution Number 43.52.07R(MC)

RESOLUTION OF THE COMMON COUNCIL APPOINTING PRAIRIE R. WELLS AS A MEMBER OF THE CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, pursuant to the provisions of Sections 856 and 903-a of the General Municipal Law the Common Council of the City of Albany has the authority to appoint members of the Industrial Development Agency.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany, duly convened does hereby appoint Prairie R. Wells as a member of the City of Albany Industrial Development Agency; and

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

Resolution 43.52.07R was Co-Sponsored by Council Members Conti, Ellis, Fahey, Igoe, McLaughlin, O'Brien, Sano, Smith and Timmons.

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

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

Affirmative 13 Negative 0 Abstain 0

Council Member Timmons offered the following containing non-binding City policy at the request of Mayor Jennings, asked for passage and a roll call vote thereon:

Resolution Number 45.52.07R(MC)

RESOLUTION HONORING THE LIFE OF CHARLES I. LEIGH, SR. AND DEDICATING THE BLEECKER STADIUM FOOTBALL FIELD IN HIS HONOR

WHEREAS, Charles I. Leigh, Sr. was born October 30, 1945 to the late Freddie and Annie Mae Jackson Leigh; and

WHEREAS, he played football for Albany High School under Coach Herb Beckett, was an All City athlete and later coached at his alma mater; and

WHEREAS, Charlie became one of the elite few in NFL history to sign a professional contract directly out of high school, playing in the National Football League for six years, for the Cleveland Browns, Miami Dolphins and Green Bay Packers, as well as playing several years in the Canadian Football League and for semipro football teams; and

WHEREAS, he was a member of the 1972 Miami Dolphins perfect season, where he was part of the team that won the Super Bowl in both 1972 and 1973, and as a team was selected to the Professional Football Hall of Fame; and

WHEREAS, he worked for the City of Albany Department of Parks & Recreation and the Department of General Services, and was a member of Teamsters Local 190; and

WHEREAS, never forgetting where he came from, Charlie was recognized as a Son of Arbor Hill; and

WHEREAS, Charles I. Leigh, Sr. passed from this life on October 26, 2006; and

WHEREAS, Mr. Leigh is survived by his devoted wife of 42 years, Marie, several children and many relatives and friends.

NOW, THEREFORE, BE IT RESOLVED, that in recognition of his lifetime of achievement and service to the City of Albany, the football field at Bleecker Stadium shall be named the Charlie Leigh Field.

BE IT FURTHER RESOLVED, that Clinton Avenue, from North Manning Boulevard to Ontario Street shall bear the honorary name Charlie Leigh Way.

BE IT FURTHER RESOLVED, that a copy of this Resolution, suitably engrossed be transmitted to the family of Charles I. Leigh, Sr., with the condolences of the City of Albany.

Resolution Number 45.52.07R(MC) was Co-Sponsored by Council Members Calsolaro, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano and Smith

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

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

Affirmative 13 Negative 0 Abstain 0

The remaining resolutions on the pending agenda were held at the request of each sponsoring Council Member.

MISCELLANEOUS OR UNFINISHED BUSINESS

Council Member McLaughlin offered the following, which was approved by unanimous voice vote:

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2008, AND WAIVE THE READING OF THE NAMES:

Farina, Vincent J, 49 Lincoln Avenue, Albany, NY 12206
Ruchel, Kimberly, 395 Manning Blvd, Albany, NY 12206

Council Member Calsolaro discussed gun violence and drugs. He also thanked everyone for support of the Gun Task Force Legislation.

Council Member Fahey discussed her support of the new libraries.

Council Member Sano invited the Council to attend the dedication of Bleecker Stadium ceremony in honor of Mr. Charles Leigh on Saturday, May 26, 2007 at 12noon.

ADJOURNMENT

Council Member Conti requested that Council Member Scalzo be excused.

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 May 21st, 2007.

CASHAWNA PARKER
LEGISLATIVE AIDE TO THE COMMON COUNCIL