

**ALBANY COMMON COUNCIL
MINUTES OF A REGULAR MEETING
Annual Youth In Government Night**

Monday, June 6, 2011

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

The roll being called, the following answered to their names: Council Members Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, and Smith.

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

Council Member Golby led the Pledge of Allegiance.

Council Member Conti made a motion to change the order of business to allow for the consideration of Resolution Number 29.61.11R, which was approved by unanimous voice vote.

Council Member Calsolaro and Co-Sponsors Bailey, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano and Smith introduced the following, asked for passage and a roll call vote thereon:

Resolution Number 29.61.11R

RESOLUTION OF THE COMMON COUNCIL CONGRATULATING THE WOMEN'S CLUB OF THE ALBANY KNICKERBOCKERS RUGBY FOOTBALL CLUB ON WINNING THE 2010 USA RUGBY DIVISION II NATIONAL CHAMPIONSHIP AND ON MOVING UP TO THE NORTHEAST RUGBY'S DIVISION I LEAGUE FOR THE FALL OF 2011

WHEREAS, the Albany Knickerbockers Rugby Football Club was established in 1973. In 2000, the Knicks began fielding a Women's team. The club now competes with two Men's Club sides, a Women's side and an Old Boys' (35 and over) side and has about 80 active members; and

WHEREAS, all the clubs compete in the New England Rugby Union and have seen much success on the field in recent years, winning numerous league and tournament championships; and

WHEREAS, in 2010, the Women's Club was able to celebrate their 10th year of existence by winning the USA Rugby Division II National Championship. In order to bring the championship home to Albany, the Women's Club won the Northeast Rugby Championship before advancing to the national tournament where they defeated teams from Virginia, Pittsburgh and Albuquerque; and

WHEREAS, the national champions were coached by Head Coach Lori Staples and Assistant Coaches Joanne and Shannon Wallace. The captains of the Women's Club Beth Fairall, Amy Peker and Tracy Cooper; and

WHEREAS, flyhalf JoAnne Kos was named the Most Valuable Player at the national tournament; and

WHEREAS, following their huge success in 2010, the Women’s Club of the Albany Knickerbockers Rugby Football Club has decided to move up a division and will be competing in the Northeast Rugby's Division I league for the fall of 2011; and

WHEREAS, in addition to their on-field accomplishments, the teams of the Albany Knickerbockers Rugby Football Club host the “Michael Jones Open at the Capitol Hills Golf Course”. This event is a fundraiser for Michael Jones who was critically injured playing rugby over a year ago and the proceeds of the event are used to help Mike and his family offset the costs of treatment.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany congratulates the Women’s Club of the Albany Knickerbockers Rugby Football Club on winning the 2010 USA Rugby Division II National Championship and on moving up to the Northeast Rugby's Division I league for the fall of 2011.

BE IT FURTHER RESOLVED, that the Common Council extends its congratulations to Edward Kos, Director of Rugby for the Albany Knickerbockers and to Club President Charles Colley.

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

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, and Smith

Affirmative 13 Negative 0 Abstain 0

PUBLIC COMMENT PERIOD

1. Marlon Anderson, 491 Livingston Ave., Albany, NY 12206 (Oppose Veto Override of Ordinance 98.121.10)
2. Sue Waltz, 979 New Scotland Ave., Albany, NY 12208 (Pesticides)
3. Mike Guidice, 105 Grand St., Albany, NY 12202 (Support Veto Override of Ordinance 98.12.10)
4. Chrys Ballerano, 163 Berkshire Blvd., Albany, NY 12203 (Dangers of Pesticides)
5. Grace Nichols, 439 elk St., Albany, NY 12206 (Pesticides & Blanket Exemptions)
6. Brenda Helm, 1346 Hillside Ave., Niskayuna, NY (Backyard Hens)
7. John V. Helm, 1346 Hillside Ave., Niskayuna, NY (Backyard Hens)
8. Jim Lyons, 101 Melrose Ave., Albany, NY 12203 (Oppose Veto Override of Ordinance 98.121.10)
9. Vincent Riguso, 13 Beach Ave. Albany, NY 12203 (Oppose Veto Override/Pumper Truck Bond Ordinance)

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

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Conti made a motion to approve the minutes of the May 16, 2011 meeting, which was approved by unanimous voice vote.

CONSIDERATION OF VETOES

Council Member Calsolaro made a motion to override the Mayor's veto of Ordinance 98.121.10 (As Amended)(AN ORDINANCE AMENDING ARTICLE VIII (FARM ANIMALS) OF CHAPTER 115 (ANIMALS) OF THE CODE OF THE CITY OF ALBANY TO AUTHORIZE AND PERMIT THE KEEPING OF HENS), which was seconded and asked for a roll call vote thereon:

**Note: Council Member Calsolaro spoke on this motion prior to the roll call vote.*

NOT Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative – Calsolaro, Commisso, Conti, Fahey, Golby, Konev, O'Brien, and Smith

Negative – Bailey, Freeman, Herring, Igoe, and Jenkins-Cox

Affirmative 8 Negative 5 Abstain 0

A two-thirds vote of all members elected being required, the motion failed.

CONSIDERATION OF LOCAL LAWS

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

REPORTS OF STANDING COMMITTEES

Law, Buildings and Code Enforcement - Council Member Igoe stated that he reached out to Council Members that have legislation referred to the committee to see if sponsors were interested in scheduling meetings on their pieces of legislation. He asked that Members get back him if they would like to schedule a meeting.

General Services, Health and Environment – Council Member O'Brien stated that he spoke with the Department of General Services to set a date for the committee to get a mid-year financial update from the department. The tentative date is July 20, 2011. He stated that he is waiting to hear back from the Water Department to schedule a meeting regarding their mid-year financial update.

REPORTS OF AD HOC COMMITTEES

Ad Hoc Committee on the Pesticide Ordinance – Council Member Golby stated that the ad hoc committee met on June 6, 2011 prior to caucus to discuss the waiver section of Ordinance 34.51.11(MC) on pesticides because in drafting the legislation the ability of the task force to grant waivers was left out.

CONSIDERATION OF ORDINANCES

Council Member Igoe introduced the following, which was held:

Ordinance Number 38.61.11

AN ORDINANCE AMENDING ARTICLE VII (PUBLIC ASSEMBLY SPACE INSPECTIONS) OF CHAPTER 151 (COMMERCIAL STANDARDS) IN RELATION TO TIME OF INSPECTION

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

Section 1. Section 151-112 of Chapter 151 of the Code of the City of Albany is hereby amended as follows:

§151-112. [~~Annual~~] Periodic inspection; display of certificate.

A. There shall be [~~annual~~] periodic fire safety and property maintenance inspections of buildings which contain an area of public assembly (according to the schedule set forth by the NYS Department of State).

B. A certificate of inspection, issued by the Administrator shall be displayed within the area inspected.

Section 2. This ordinance shall take effect immediately.

Council Member Bailey introduced the following, which was held:

Ordinance Number 39.61.11

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 270 CENTRAL AVENUE (TAX MAP #65.54-1-48) IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO THE CITY SCHOOL DISTRICT OF ALBANY

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 property known as 270 Central Avenue (Tax Map #65.54-1-48) be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to the City School District of Albany.

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 Jenkins-Cox introduced the following, which was held:

Ordinance Number 40.61.11

AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF A PORTION OF WILKINS AVENUE AND THE CLOSING OF JASMINE, FERN AND CLOVER AVENUES IN THE CITY OF ALBANY

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

Section 1. It is hereby ordered and directed that Wilkins Avenue, east of its intersection with the paper street known as Jasmine Avenue, be discontinued and closed, and that Jasmine Avenue, Fern Avenue and Clover Avenue be discontinued and closed in their entirety.

Section 2. It is hereby determined that the aforesaid right-of-ways have been abandoned for municipal or public purposes.

Section 3. The form, content and description of the right-of-ways to be closed shall be approved by the Corporation Counsel.

Section 4. This ordinance shall take effect immediately after public hearing and final passage.

Council Member Jenkins-Cox introduced the following, which was approved:

Ordinance Number 41.61.11

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 315 NORTHERN BOULEVARD, 76, 98 AND 106 WILKINS AVENUE, THE ABANDONED PORTION OF WILKINS AVENUE, EAST OF ITS INTERSECTION WITH THE ABANDONED RIGHT-OF-WAY OF JASMINE AVENUE, AND THE ABANDONED RIGHT-OF-WAYS OF JASMINE, FERN AND CLOVER AVENUES IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO THE CITY SCHOOL DISTRICT OF ALBANY

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

Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the properties known as 315 Northern Boulevard (Tax Map #65.11-1-7), 76 Wilkins Avenue (Tax Map #65.11-1-8), 98 Wilkins Avenue (Tax Map #65.11-1-9), 106 Wilkins Avenue (Tax Map #65.11-1-10), the abandoned portion of Wilkins Avenue, east of its intersection with the abandoned right-of-way of Jasmine Avenue, and the abandoned right-of-ways of Jasmine Avenue, Fern Avenue and Clover Avenue be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to the City School District of Albany.

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

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

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

Section 4. This ordinance shall take effect immediately.

Council Member Golby moved to amend and as amended asked for passage and a roll call vote thereon:

ORDINANCE NUMBER 34.51.11 (MC) (As Amended 6/6/11)

AN ORDINANCE AMENDING CHAPTER 259 (PESTICIDES) OF THE CODE OF THE CITY OF ALBANY

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

Section 1. Chapter 259 of the Code of the City of Albany is hereby amended to read as follows:

§ 259-1. Legislative intent.

The Common Council declares it to be the policy of the City to phase out pesticide use for many pest-control purposes and to adopt a control policy that substantially ~~relies on nonchemical pest-reduces~~ chemical controls. The Common Council further finds that because of continual developments in alternatives to pesticides, that City departments must carry out an ongoing review of pesticide use and continually seek to reduce ~~and~~ or eliminate pesticide use.

§ 259-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANTI-MICROBIAL PESTICIDES

A pesticide as defined by 7 U.S.C, § 136(mm).

PEST

Any insect, rodent, weed or any other form of terrestrial or aquatic or animal life or virus, bacteria or other microorganism (except viruses, bacteria or other microorganisms on or in living man or other living animals) which the Commissioner of the New York State Department of Environmental Conservation declares to be a pest.

PESTICIDE

Any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest; and any substance or mixture of substances intended for use as a plant regulator, defoliator or desiccant. It shall include all pesticide products registered as such by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation and all products for which experimental use permits and

provisional registrations have been granted by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation.

TASK FORCE ON WATER RESOURCES

~~The special task force created and appointed by the Mayor on January 12, 1998.~~

§ 259-3. Pest Management Board.

A. There is hereby created a Pest Management Board under this Chapter composed of seven members as follows: the Commissioner of the Department of General Services or his or her designee; the Commissioner of the Department of Recreation or his or her designee; the Director of the Office of Sustainability or his or her designee; and four citizens appointed by the Common Council one of whom shall be a health care practitioner, one of whom shall be actively involved in a local environmental organization; one of whom shall have a background in organic pest management, and one of whom shall have a background in landscaping or property management. The members shall serve at the pleasure of the Common Council. The committee shall annually choose a chair.

B. The Pest Management Board shall publicly notice and hold meetings at least four times per year or more often if necessary. The Board shall allow for a public comment period at each meeting, the length and placement to be determined by the committee. The Mayor shall have the authority to call a special meeting of the Pest Management Board in the event of an emergency regarding property, health and safety.

C. The Pest Management Board shall review and make recommendations to the City departments regarding pest management, monitor efforts of the City to reduce pesticide use, have the authority to research and report on programs used successfully by other municipalities or private industry, and shall be responsible for granting waivers as provided in Section 259-6.

~~§ 259-3. Phase 1 reduction.~~

~~Effective January 1, 1999, no department, commission or board, or any pesticide applicator employed by the department, commission or board as a contractor or subcontractor for pest control purposes, shall apply on City, board or commission property any pesticide classified as Toxicity Category I by the United States Environmental Protection Agency, or any pesticide classified as a known, likely or probable human carcinogen by the United States Environmental Protection Agency, except as provided for in § 259-8 of this chapter.~~

~~§ 259-4 259-5. Phase 2 reduction.~~

~~Effective January 1, 2000, no department, commission or board, or any pesticide applicator employed by the department, commission or board as a contractor or subcontractor for pest control purposes, shall apply on City property any pesticide classified as Toxicity Category II by the United States Environmental Agency, or any pesticide classified as restricted use by the United States Environmental Protection Agency or the New York State Department of Environmental Conservation, except in accordance with a plan developed pursuant to § 259-7 of this chapter or as provided in § 259-8 of this chapter.~~

~~§ 259-5. Phase 3 reduction.~~

~~Effective January 1, 2001, no department, commission or board, or any pesticide applicator employed by the department, commission or board as a contractor or subcontractor for pest control purposes, shall apply on City property any pesticide classified as Toxicity Category III by the United States Environmental Protection Agency, except in accordance with a plan developed pursuant to § 259-7 of this chapter or as provided in § 259-8 of this chapter.~~

§ 259-4. Pesticide Use on City Property; Notice.

A. Each City department in carrying out its duties shall assume that pesticides are potentially hazardous to humans and the environment and shall give preference to reasonably available nonpesticide alternatives when addressing pest problems on City property. No pesticides classified as Toxicity Category I by the United States Environmental Protection Agency, or any pesticide classified as a known, likely or probable human carcinogen or “carcinogenic to humans,” “likely to be carcinogenic to humans,” or “suggestive evidence of carcinogenic potential,” by the United States Environmental Protection Agency, pesticides classified as Toxicity Category II by the United States Environmental Agency, or any pesticide classified as restricted use by the United States Environmental Protection Agency or the New York State Department of Environmental Conservation, or pesticides classified as Toxicity Category III by the United States Environmental Protection Agency, shall be applied on any property owned by the City of Albany. This prohibition on applying pesticides shall apply to all city departments and entities, contractors and subcontractors and entities leasing city property.

B. Each City department that has used pesticides during the past year shall at least annually develop a plan for reducing pesticide use, substituting for less toxic, nontoxic and nonchemical alternatives to pesticides. In developing its plan, each department shall consult with persons and organizations with expertise in pesticide use, reduction and substitution, giving preference to nontoxic and nonchemical alternatives.

C. On or before January 1 of every year, each City department that has used any pesticide during the previous year shall submit a plan to the City Clerk that details how it will reduce pesticide use and substitute less toxic, nontoxic and nonchemical alternatives to pesticides in the coming year. The report shall specify any pesticide use thought to be necessary in the coming year, and alternatives to its use, and the potential for eliminating or reducing its use for substituting less toxic, nontoxic and nonchemical means pest control. The Pest Management Board, in consultation with organizations with expertise in pesticides and alternatives to pesticides, shall assist the departments in reducing and, where feasible, eliminating pesticide use. ~~The task force~~ **board** shall submit these reports to the General Service, Health and Environment Committee of the Common Council, the Chair of which shall be responsible for making the reports available to members of the Common Council.

D. Notice to the public shall be provided of each application of pesticides on city property by the posting of signs at the site for at least a 24 hour period prior to the application of pesticides and a 48 hour period after the application.

~~§ 259-6~~ 259-5. Exceptions.

Notwithstanding any other provisions of this chapter to the contrary, this chapter shall not apply to the following:

A. Pesticides otherwise lawfully used for the purpose of maintaining a safe drinking water supply at drinking water treatment plants, wastewater treatment plants, reservoirs and related collection, distribution and treatment facilities.

B. Antimicrobial pesticides.

C. Pesticides in contained baits for the purposes of rodent and insect control.

D. Pesticides classified by the United States Environmental Protection Agency as exempt materials under CFR 152.25.

E. City-owned property managed by a federal or state agency, or any city property where pesticide use must be included as part of a property management plan that is subject to federal or state approval.

~~§ 259-7. City pesticide reduction, substitution and elimination plan.~~

~~A. Each City department in carrying out its duties shall assume that pesticides are potentially hazardous to humans and the environment and shall give preference to reasonably available nonpesticide alternatives when addressing pest problems on City property.~~

~~B. Each City department that has used pesticides during the past year shall at least annually develop a plan for reducing pesticide use, substituting for less toxic, nontoxic and nonchemical alternatives to pesticides. In developing its plan, each department shall consult with persons and organizations with expertise in pesticide use, reduction and substitution, giving preference to nontoxic and nonchemical alternatives.~~

~~C. On or before January 1 of every year, each City department that has used any pesticide during the previous year shall submit a plan that details how it will reduce pesticide use and substitute less toxic, nontoxic and nonchemical alternatives to pesticides in the coming year. The report shall specify any pesticide use thought to be necessary in the coming year, and alternatives to its use, and the potential for eliminating or reducing its use for substituting less toxic, nontoxic and nonchemical means pest control. The Task Force on Water Resources, in consultation with organizations with expertise in pesticides and alternatives to pesticides, shall assist the departments in reducing and, where feasible, eliminating pesticide use. The task force shall submit these reports to the Health and Environment Committee of the Common Council, the Chair of which shall be responsible for making the reports available to members of the Common Council.~~

~~D. On or before January 1, 2001, the Task Force on Water Resources, in consultation with applicable department heads and persons and organizations with expertise in pesticides and alternative to pesticide use, shall prepare and issue a report that assesses the feasibility of eliminating the use of pesticides classified as Toxicity Category III by the United States Environmental Protection Agency.~~

~~§ 259-8-259-6. Waivers.~~

A. The Pest Management Board may grant a temporary waiver of up to one year to allow the use of pesticides on city-owned property. The determination of the waiver shall specify the property and the purpose of the pesticides. The specific pesticides to be used may be determined by the Pest Management Board.

B. In the event that the Mayor determines that a threat to human health or other threatening condition warrants the use of pesticides that would otherwise not be allowed under this chapter, the Mayor, in consultation with the ~~Task Force on Water Resources~~ Pest Management Board and ~~organizations with expertise in pesticides and alternatives to pesticide use,~~ shall determine if such a waiver is warranted and may issue a waiver from the provisions of this chapter based on the following criteria:

(1). The pest situation poses an immediate or imminent threat to human health or that other threatening conditions exist; and

(2). Viable alternatives consistent with this chapter do not exist. In making such determination, the Mayor shall outline the means for addressing the underlying causes of the pest outbreak in order to prevent future outbreaks.

Section 2. This ordinance shall take effect immediately.

Council Member Calsolaro made a motion to amend Section 259-5 of the Code of the City of Albany as proposed in section of 1 of Ordinance 34.51.11 by striking paragraphs C and E therein and relettering the remaining paragraphs. The motion was seconded.

**Note: Council Members Calsolaro, O'Brien and Golby spoke on this motion prior to the roll call vote.*

NOT Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative – Calsolaro, Fahey, Freeman, Jenkins-Cox, and Smith

Negative – Bailey, Commisso, Conti, Golby, Herring, Igoe, Konev and O'Brien

Affirmative 5 Negative 8 Abstain 0

The motion failed.

The Council then proceeded to a vote on final passage of ORDINANCE NUMBER 34.51.11(MC) (As Amended) (AN ORDINANCE AMENDING CHAPTER 259 (PESTICIDES) OF THE CODE OF THE CITY OF ALBANY) and a roll call vote thereon:

**Note: Council Members Golby, O'Brien, Konev and Council President McLaughlin spoke on this ordinance prior to passage.*

Ordinance Number 34.51.11(MC) (As Amended) was Co-Sponsored by Council Members Bailey, Konev and O'Brien.

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

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

Negative – Calsolaro

Affirmative 12 Negative 1 Abstain 0

Council Member Igoe on behalf of Council Member Sano asked for passage of ORDINANCE NUMBER 28.41.11 (AN ORDINANCE AMENDING CHAPTER 303 (SIDEWALK AND OUTDOOR CAFES) OF THE CODE OF THE CITY OF ALBANY IN RELATIONS TO PENALTIES), which had been previously introduced.

Ordinance Number 28.41.11 was Co-Sponsored by Council Members Fahey and Freeman.

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

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

Negative – Konev

Affirmative 12 Negative 1 Abstain 0

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

CONSIDERATION OF RESOLUTIONS

Council Member Calsolaro and Co-Sponsors Bailey, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, Rosenzweig, Sano and Smith introduced the following, asked for passage and a roll call vote thereon:

Resolution Number 27.61.11R

RESOLUTION OF THE COMMON COUNCIL DECLARING JUNE 21, 2011 AS "ASK DAY" IN THE CITY OF ALBANY

WHEREAS, the epidemic of gun violence is plaguing our nation’s children and claims eight lives a day; and

WHEREAS, over 40% of American homes with children have guns, many of them are kept unlocked and loaded, and children in the United States are more likely to die of gun violence than from all natural causes combined; and

WHEREAS, the ASK (Asking Saves Kids) Campaign urges parents to ASK their neighbors if there is a gun in their home before sending a child over to play; and

WHEREAS, through a national public health campaign, the hope is that asking will become part of good parenting vernacular; offering a real solution that all Americans can adopt to help protect our families and children and that work immediately to save lives; and

WHEREAS, the power of the ASK Campaign is that it enrolls all Americans concerned with the welfare of children, including gun owners, and makes the solution to gun violence a discussion about public safety and good parenting.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany proclaims June 21, 2011 to be “ASK Day” and encourages all parents to ASK.

**Note: Common Council Calsolaro spoke on this resolution prior to passage.*

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

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, and Smith

Affirmative 13 Negative 0 Abstain 0

Council Member Conti and Co-Sponsors Bailey, Calsolaro, Commisso, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, Rosenzweig, Sano and Smith offered the following, asked for passage and a roll call vote thereon:

Resolution Number 28.61.11R

**RESOLUTION OF THE COMMON COUNCIL RECOGNIZING AND
COMMEMORATING CAPITAL PRIDE 2011**

WHEREAS, the month of June is nationally recognized and celebrated as Lesbian, Gay, Bisexual and Transgender Pride Month in commemoration of the 1969 Stonewall Riots in New York City which marks the birth of the modern day LGBT human rights movement; and

WHEREAS, 2011 marks the 41st anniversary of the founding of the Tri-Cities Gay Liberation Front in 1970 which two years later evolved into the Capital District Gay and Lesbian Community Council and is today known as the Pride Center of the Capital Region; and

WHEREAS, Albany is the home of the oldest continuously operating LGBT community center in the nation, located at 332 Hudson Avenue, and was the site, in 1971, of the first march on a state capital for lesbian and gay civil rights; and

WHEREAS, Albany and the Capital District respect and appreciate the diversity of its community and the variety of races, religions, genders, backgrounds and sexual orientations among its residents; and

WHEREAS, the volunteers of the Pride Center have organized a series of activities from Wednesday, June 1 through Sunday, June 12 marking a celebration of lesbian, gay, bisexual and transgender pride across the Capital District; and

WHEREAS, this celebration will begin with the official Capital Pride Flag Raising at Albany City Hall on June 1 and culminate with a parade and festival, co-sponsored by the City of Albany, in Washington Park on June 12; and

WHEREAS, it is appropriate for this body to pause in its deliberations to recognize Capital Pride 2011 and the celebration of 41 years of pride in the Capital District that it represents.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby recognize this celebration and the contributions of the lesbian, gay, bisexual and transgender community to our city and does extend its congratulations and best wishes for a successful Capital Pride 2011 celebration.

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

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, and Smith

Affirmative 13 Negative 0 Abstain 0

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

MISCELLANEOUS AND UNFINISHED BUSINESS

Council Member Jenkins-Cox congratulated Commission Nick D’Antonio on the success of the City of Albany Boxing Program, which was featured in a national sports magazine. She encouraged Council Members to support the youth in the program.

ADJOURNMENT

Council Member Conti moved for adjournment.

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

A true record of the Common Council Minutes of June 6th, 2011.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL