

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

Monday, June 21, 2010

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, Rosenzweig, Sano and Smith.

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

Council Member O'Brien led the Pledge of Allegiance.

Council Member Conti made a motion to change the order of business to consider Resolution Number 67.62.10R, which was approved by unanimous voice vote.

At the request of Council President McLaughlin, Council Member Calsolaro and Co-Sponsors Council Members Freeman, Bailey, Commisso, Conti, Fahey, 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 67.62.10R

**RESOLUTION THANKING REVEREND JOHN U. MILLER OF THE EVANGELICAL
PROTESTANT UNITED CHURCH OF CHRIST IN ALBANY'S SOUTH END, FOR HIS MANY
YEARS OF SERVICE TO ALBANY'S MOST NEEDY CITIZENS, AND HONORING REVEREND
MILLER AS HE PREPARES TO STEP DOWN AS THE EXECUTIVE DIRECTOR OF THE
CAPITAL AREA COUNCIL OF CHURCHES**

WHEREAS, the Reverend John U. Miller was born and reared in Boston, Massachusetts, the son of the late Rev. John U. Miller and Marcella Miller; and

WHEREAS, after graduating from Medford High School, John attended Brown University, receiving a Bachelor of Arts in American Civics with minors in English and the Classics, and after receiving his Masters in Divinity from Colgate Rochester Divinity School, John was ordained in the United Church of Christ in 1976; and

WHEREAS, Reverend Miller came to Albany in 1986, and in March of 2001, he became the Executive Director of the Capital Area Council of Churches; and

WHEREAS, during his 20 plus years at the Evangelical Protestant United Church of Christ, "Father John" has become a welcome and well-known presence in the neighborhood and beyond. He brings a commitment to social justice, an abiding concern for the "least, the lost, and the last", and a welcoming, inclusive ministry to the people of his South End 'hood; and

WHEREAS, Reverend Miller has been active in the work of the Capital Area Council of Churches ever since his arrival in Albany. His passion for all things ecumenical drove Reverend Miller to put his energy into two areas — "Faith and Order" and "Life and Work". In the first arena, Reverend Miller is known for liturgical leadership which draws on the rich resources of the world church, as well as for his interest and involvement in many ecumenical dialogues and organizations. Convinced that Christian unity is displayed through the Sacrament of Baptism, Reverend Miller was instrumental in developing the Council's Ecumenical Witnesses of

Baptism program. He strongly believes in and practices the hospitality of “the open table,” welcoming all to the Eucharistic meal that is part of every Sunday’s liturgy in his church; and

WHEREAS, Reverend Miller’s pursuit of social justice has lead him into the “Life and Work” arena with an active jail and court ministry. A big part of that ministry is the Incarceration Prevention program which keeps non-violent offenders out of jail by offering alternatives to incarceration such as treatment programs, drug court, anger management counseling, and community service; and

WHEREAS, his commitment to community involvement and his advocacy for non-violent intervention caught the attention of the Common Council of the City of Albany, which appointed him to the Gun Violence Task Force, where he served as Chair.

NOW, THEREFORE, BE IT RESOLVED, that the **Common Council of the City of Albany** pauses in its deliberations to thank Reverend John U. Miller for his many years of service to the "least, the lost, and the last" of Albany's residents.

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to Rev. John U. Miller.

**Note: Council Members Calsolaro and Smith 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, Herring, Golby, Igoe, Jenkins-Cox, Konev, O’Brien, Rosenzweig, and Smith

Affirmative 14 Negative 0 Abstain 0

PUBLIC COMMENT PERIOD

1. Ira McKinley, 91 Clinton St., Albany, NY 12202 (Public Access Television & South End issues)
2. Marshall Miller, Elm St., Albany, NY 12202 (Support Ordinance 12.12.10)
3. Marlon Anderson, 491 Livingston Ave., Albany, NY 12206 (Police Chief Process)
4. Mark Gronich, 300 Hackett Blvd. Albany, NY 12208 (Resolution 51.51.10R – Jerusalem Day)
5. Florence Coles, 232 First St., Albany, NY 12206 (Fines & Taxes on Vacant Buildings)

Council Member Conti made a motion to extend Public Comment Period an additional 10 minutes, which was approved by unanimous voice vote.

6. Wayne Sapp, 76 Hackett Blvd. Albany, NY 12208 (St. James Street in Disrepair)
7. Sandra McKinley, 1 Lincoln Sq., Albany, NY 12202 (DIVAS for Christ Program)
8. Tom Ellis, 43 N. Pine Ave., Albany, NY 12203 (Support Ordinance 12.12.10)

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 June 7th, 2010 meeting, which was approved by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS

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

REPORTS OF STANDING COMMITTEES

Parks, Recreation and Family Services – Council Member Rosenzweig stated that the Committee would be meeting on June 29, 2010 at 5:30 PM to discuss the VI Teen Center and the Youth Employment program.

General Services, Health and Environment – Council Member O'Brien stated that the Committee met on June 14, 2010 and had a presentation on the proposed Solid Waste Management Plan. He stated the Committee would schedule the first public hearing once the responses are back regarding the Council being lead agency. He stated that the Committee would be meeting on June 24, 2010 to discuss UAlbany's proposal to tap into the sewer line as part of their dormitory Construction project and that SUNY representatives would be present.

Public Safety – Council Member Smith stated the Committee would be meeting on June 22, 2010 to discuss Ordinance 68.52.10 regarding Youth Curfews, which was reported out of committee with a negative recommendation and Ordinance 69.52.10 regarding Anti-Gang which was held for further discussion. The Committee would be meeting on June 30, 2010 following the Finance, Taxation and Assessment Committee meeting to have public comment on Resolution 69.62.10R confirming the appointment of Mr. Steven Krokoff as Police Chief. She stated the Committee would, also be meeting on July 12, 2010 to interview Mr. Krokoff..

Finance, Taxation and Assessment – Council Member Sano stated that the committee would be meeting on June 30, 2010 to discuss the Department of Parks and Receptions bonding ordinances.

Planning, Economic Development and Land Use – Council Member Herring stated that the Committee met on June 8, 2010 at 5:30pm to discuss Ordinance 12.12.10 (External Fuel Burning and Heating Devices), which received a favorable recommendation with amendments. He stated the Committee would be meeting on June 22, 2010 to discuss Ordinances 9.12.10 (Entertainment Permits), 11.12.10 (Satellite Dish Antennas), 13.12.10 (Front Yards), 54.42.10 (Lark Street Sidewalk Cafes), and 62.51.10 (Planning Department Fees).

Law, Buildings and Code Enforcement – Council Member Igoe stated that the Committee would be meeting on July 7, 2010 at 5:30pm to discuss the Taxicab Ordinances on the pending agenda.

REPORTS OF AD HOC COMMITTEES

Pesticide Ordinance – Council Member Golby stated that the Committee would be meeting on June 28, 2010. City personnel will be present and there will be public comment.

CONSIDERATION OF ORDINANCES

Council Member Commisso introduced the following, which was held:

Ordinance Number 75.62.10

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO A PORTION OF 75 FULLER ROAD IN THE CITY OF ALBANY, NEW YORK TO THE COUNTY 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 a portion of the property known as 75 Fuller Road (Tax Map #41.00-2-106) be donated to the County of Albany pursuant to the provisions of Local Law No. 4 for 1984.

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

Section 2. It is hereby determined that the aforesaid properties are being donated to the County of Albany 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 O'Brien introduced the following, which was held:

Ordinance Number 76.62.10

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A CONSERVATION EASEMENT TO THE ALBANY PINE BUSH PRESERVE COMMISSION OVER AND UPON CITY-OWNED LANDS ADJACENT TO THE RAPP ROAD LANDFILL

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

Section 1. It is hereby ordered and directed that a conservation easement with recreational rights be granted to the Albany Pine Bush Preserve Commission over and upon the City-owned properties known as Fox Run Estates (Tax Map No. 41.00-1-6; Tax Map No. 41.00-1-7; Tax Map No. 41.00-1-8; Tax Map No. 41.00-1-9; Tax Map No. 41.00-2.118; Tax Map No. 41.00-2-120; Tax Map No. 41.00-2.121; Tax Map No. 41.00-2.122; Tax Map No. 41.00-2.112; Tax Map 41.00-1.2.1) and 175 Karner Road (Tax Map No. 41.00-2.123) pursuant to the provisions of Local Law No. 4 for 1984.

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

Section 2. It is hereby determined that the aforesaid conservation easements are being created for municipal or public purposes.

Section 3. The form, content, terms and conditions of such conservation easement 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. The conservation easement must be in a form consistent with Environmental Conservation Law Article 49.

Section 4. This ordinance shall take effect immediately.

Council Member Conti asked and received majority consent to add Ordinance 77.62.10 to the pending agenda, which was approved by unanimous voice vote.

Council Member Conti introduced the following, which was held:

Ordinance Number 77.62.10(MC)

AN ORDINANCE AMENDING THE PARK SOUTH PLANNED DEVELOPMENT OVERLAY DISTRICT (PSPDOD) CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY

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

Section 1. Substantive changes to the Park South Planned Development Overlay District (PSPDOD) require the approval of the Common Council. It is hereby determined that the PSPDOD shall be amended to reflect the best interest of the Park South neighborhood and the current planning initiatives for 409-413 Myrtle Avenue and 190-196 Morris Street. The PSPDOD is hereby amended to permit the construction of a surface parking lot on these parcels, in addition to currently permitted uses.

Section 2. The Park South Urban Renewal Plan as it currently exists in map A-xi of Chapter 375 shall be amended accordingly. Applicable design standards for the project as referenced in the amended Park South Urban Renewal Plan shall continue.

Section 3. This ordinance shall take effect immediately.

Council Member Konev moved to amend Ordinance 56.41.10 and as amended requested it be held:

ORDINANCE NUMBER 56.41.10 (As Amended)

AN ORDINANCE AMENDING CHAPTER 115 (ANIMALS) OF THE CODE OF THE CITY OF ALBANY TO ADD A NEW ARTICLE IX ENTITLED “ANIMAL EXHIBITIONS”

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

Section 1. Chapter 115 of the Code of the City of Albany is hereby amended by adding thereto a new Article IX to read as follows:

**ARTICLE IX
ANIMAL EXHIBITIONS**

Section 115-34. Findings and Legislative Intent.

The City of Albany finds that the display and use of wild or exotic animals is dangerous to public health and safety. Certain exhibitions featuring animals bring non-native animal species, particularly those made attractions by their size or reputation for danger, in close contact with humans. In certain instances, these creatures are made a special feature for children. The animals may live in substandard conditions completely alien to their natural habitats, with poor diet, inadequate exercise and generally substandard living conditions. Instances of animals escaping from exhibitions, stampeding and attacking people, causing injury and death, have been documented.

Bringing the public into close proximity with these animals creates an unnecessary hazard to members of the public, as well as operators and performers of these displays. The Council intends, by adoption of this Article, to minimize hazards to the physical and mental health of the public and to promote the protection of animals by prohibiting the display of wild or exotic animals on City property.

Section 115-35. Definitions.

For purposes of this section, the following terms shall have the following meanings:

“Display” shall mean to undertake any exhibition, act, circus, ride, trade show, carnival, parade, race, photographic opportunity, performance or similar undertaking in which animals are required to perform tricks, fight or participate as accompaniments in performances for the amusement or benefit of an audience.

“Exhibition” shall mean any public showing, presenting to view, public display or exposition.

“Exotic animal” shall mean any and all of the following orders and families, whether bred in the wild or in captivity, and shall include any or all of their hybrids with domestic species:

- a. proboscidae, including, but not limited to, elephant;
- b. cetacea, pinnipedia, sirenia and other species of sea mammals, including, but not limited to, dolphin, whale, seal, sea lion and walrus;
- c. marsupialia, including, but not limited to, tasmanian devil, dasyure, bandicoot, kangaroo, wallaby, opossum, wombat, koala bear, cuscus, numbat, pigmy, sugar and great glider;
- d. perissodactyla, including, but not limited to, rhinoceros and tapir; provided that such term shall not include the species equus caballus, including, but not limited to, horse, donkey and mule;
- e. artiodactyla, including, but not limited to, deer, antelope, sheep, hippopotamus, giraffe and camel;
- f. mustelidae, including, but not limited to, skunk, weasel, otter, marten, mink, ermine, pole cat, zorille, wolverine, stoat, ferret and badger;
- g. procyonidae, including, but not limited to, raccoon, kinkajou, cocamistle, cat-bear, panda;
- h. procyonidae, including, but not limited to, raccoon, kinkajou, cocamistle, cat-bear, panda and coatimundi;
- i. edentata, including, but not limited to, sloth and armadillo;
- j. viverridae, including, but not limited to, mongoose, civet, binturong, fossa, linsang, suricate and genet;
- k. all predatory or large birds, including, but not limited to, eagle, hawk, falcon, owl, vulture, condor, emu, rhea and ostrich;
- l. sciuridae;
- m. chiroptera;
- n. all venomous insects, including, but not limited to, bee, hornet and wasp;
- o. arachnida and chilopoda, including, but not limited to, all venomous spiders, scorpion, and all venomous arthropods;
- p. all large rodentia, including, but not limited to, gopher, muskrat, paca, woodchuck, marmot, beaver, prairie dog, capybara, sewellel, viscacha, porcupine and hutia;
- q. hyracoidea;
- r. pholidota;
- s. insectivora, including, but not limited to, aardvark, anteater, shrew, otter shrew, gymnure, desman, tenrec, mole and hedge hog; and
- t. dermoptera.

“Person” shall mean any individual, establishment, firm, association, organization, partnership, trust, corporation or company.

“Wild animal” shall mean any and all of the following orders and families; provided that such term shall not include “companion animal” as such term is defined in section three hundred fifty of the New York state agriculture and markets law:

- a. non-human primates and prosimians, including, but not limited to, chimpanzee and monkey;
- b. non-human primates and prosimians, including, but not limited to, chimpanzee and monkey;
- c. felidae and all hybrids thereof; provided that such term shall not include the species felis catus;
- d. canidae; provided that such term shall not include domesticated dogs and captive bred fennec foxes;
- e. ursidae;
- f. crocodylia; and
- g. all reptiles that are venomous by nature and the following species and orders: burmese python, reticulated python, african rock python, green anaconda, yellow anaconda, australian amethystine python, indian python, asiatic monitor, nile monitor, white throat monitor, black throat monitor, crocodile monitor, komodo dragon and any hybrid thereof.

“Felis catus” shall mean: (i) domesticated cats, feral cats, domesticated cats that were formerly owned and that have been abandoned and that are no longer socialized, and the offspring of such cats; and (ii) hybrids of felis catus that are registered by the American Cat Fanciers Association or the International Cat Association, provided that such cats shall be without any wild felid parentage for a minimum of five generations.

“Wildlife sanctuary” shall mean any organization as described in section 170(b)(1)(A)(vi) of the Internal Revenue Code of 1986, and its subsequent amendments, and that is in compliance with all applicable provisions of the Animal Welfare Act, 7 U.S.C. §§ 2131, *et. seq.*, and operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned or displaced wild animals are provided care for their lifetime or rehabilitated and released back to their natural habitat and, with respect to any animal owned by the organization, does not: (i) use any such animal for any type of entertainment, recreational or commercial purpose, except for the purpose of exhibition as defined by the New York state department of Environmental Conservation at Section 175.2(b) of Part 175 of Subchapter I of Chapter I of Title Six of the New York Codes, Rules and Regulations; (ii) sell, trade, lend or barter such animal or the body parts of such animal; or (iii) breed such animal.

Section 115-36. Prohibited Acts.

No person shall display or sponsor the display of a wild or exotic animal any property located within the City of Albany; provided, however, that this section shall not apply to (i) any institution accredited by the American Zoo and Aquarium Association; (ii) any institution operated by the Wildlife Conservation Society of New York State; (iii) any veterinarian in the ordinary course of such veterinarian's practice of business; (iv) any wildlife sanctuary; and (v) any laboratory operated pursuant to Section 504 of the New York State Public Health Law.

Section 115-37. Enforcement and Penalties for offenses.

A. Any authorized employee, officer or agent of the city or any other city agency designated by the mayor shall be empowered to enforce the provisions of this section .

B. A violation of § 115-36 is punishable by a fine not exceeding \$1,000, provided that for a first such violation, such person may be issued a written warning in lieu of such civil penalty. Each day the violation is committed constitutes a separate offense.

Section 2. This ordinance shall take effect immediately.

Council Member Konev moved to amend Ordinance 74.61.10 and as amended requested that it be held:

ORDINANCE NUMBER 74.61.10 (As Amended)

AN ORDINANCE AMENDING ARTICLE II (TAXICABS AND HACKS) OF CHAPTER 353 (VEHICLES FOR HIRE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO MEDICABS AND INTERIOR REQUIREMENTS

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

Section 1. Section 353-14 of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

TAXICAB

A motor vehicle other than a bus, used to carry passengers for hire and operated in such manner under a medallion or permit issued by a local authority and registered for such use pursuant to the Vehicle and Traffic Law of the State of New York. The term “taxicab” shall include vehicles commonly known as ‘medi-cabs.’

Section 2. Section 353-28 of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

B. Before any taxicab can initially be placed in operation, such vehicle shall be inspected by the Commissioner as to the requirements listed in Subsection A(1) and (2) above, and no taxicab medallion will be issued for such vehicle until it has been found that the exterior and interior of such vehicle is clean, fit and of good appearance and that the heating and air conditioning are in working order. At such time of inspection, the commissioner shall also provide a certificate stating the maximum passenger capacity for the vehicle. The Commissioner shall inspect all taxicabs for these requirements twice a year.

Section 3. This ordinance shall take effect immediately.

Council Member Sano moved to amend Ordinance 12.12.10 and as amended asked for passage and a roll call vote thereon:

Ordinance Number 12.12.10 (As Amended)

AN ORDINANCE AMENDING ARTICLE XIV (SPECIFIC USE REGULATIONS) OF CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO EXTERNAL FUEL-BURNING AND HEATING DEVICES

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

Section 1. Article XIV of Chapter 375 of the Code of the City of Albany is hereby amended by adding thereto a new Section 375-112-a to read as follows:

Section 375-112-a. External Fuel-Burning and Heating Devices.

A. Residences and commercial establishments situated within the City of Albany are entitled to clean air and environmental circumstances free of unreasonable dust, obnoxious odors, noxious fumes and smells, as well as an environment free of stored debris and storage of combustible fuels in adjacent or exposed exterior areas within densely populated areas.

B. Definitions. As used in this article, the following terms shall have the meanings indicated:

(1) Exterior Furnace -- Any device, contrivance or apparatus or any part thereof which is installed, affixed or situated out-of-doors for the primary purpose of the combustion of fuel from which heat or energy is derived and intended to be directed there from by conduit or other mechanism into any interior space for the supply of heat or energy.

(2) Exterior Furnace Device -- Any contrivance, apparatus or part thereof, including a boiler, fire box, exchanger, grate, fuel gun, fuel nozzle, chimney, smoke pipe, exhaust conduit and like devices used for the burning of combustible fuels for the creation of heat or energy from an exterior location into an interior location.

C. Installation standards. Standards for the installation of any exterior furnace or furnace device, exterior, in addition to any manufacturer's recommended installation requirements, shall also require the following:

(1) Installation upon a nominal six-inch thick permanent, reinforced cement pad in such dimension so as to allow a minimum of six inches of exposed surface area along the perimeter of the pad.

(2) The location of the exterior furnace or furnace device must be at least 100 feet from any structure heated by it, any accessory uses on the property, and the adjoining property line.

D. Fuel substances permitted for combustion in an exterior furnace installation shall be limited to the following:

(1) Natural gas, propane, home heating oil, coal and wood.

No exterior furnace shall be utilized in any manner as a waste incinerator.]

Prohibition on installation or use. The installation or use of any exterior furnace or exterior furnace device is prohibited with the limits of the City of Albany.

[E.] D. This section shall in no way be construed nor is the same intended to prohibit the installation, operation or use of exterior chimneys, stove pipes or similar contrivances that are otherwise in conformity with other federal or state laws, rules or regulations constituting any part of any interior furnace system or interior stove system or operation, or any system that provides the exhaust of waste heat, smoke or similar substances from interior spaces.

Section 2. This ordinance shall take effect immediately.

**Note: Council Members Sano and Freeman spoke on this ordinance prior to passage.*

Ordinance Number 12.12.10 (As Amended) was Co-Sponsored by Council Members Konev and Rosenzweig.

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

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

Negative – Freeman

Affirmative 14 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 Rosenzweig offered the following, which was referred to the Council Operations and Ethics Committee:

Resolution Number 68.62.10R

RESOLUTION OF THE COMMON COUNCIL DIRECTING THE CITY CLERK TO TRANSMIT ALL ADOPTED LEGISLATION TO ALL CITY DEPARTMENTS EFFECTED BY SUCH LEGISLATION

WHEREAS, the City Clerk is the Records Access Officer for City of Albany; and

WHEREAS, the City Clerk maintains a record of all legislation passed by the City of Albany Common Council and duly signed into law.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany directs the City Clerk to transmit all legislation that is adopted by the Common Council and approved by the Mayor to all City of Albany departments that are effected by such legislation.

BE IT FURTHER RESOLVED, that the City Clerk shall transmit said legislation within thirty days of it being signed into law.

RESOLVED, that this administrative rule shall take effect immediately.

Council Member Conti asked and received majority consent to add Resolution 69.62.10R to the pending agenda, which was approved by unanimous voice vote.

Council Member Smith offered the following, which was referred to the Public Safety Committee:

Resolution Number 69.62.10(MC)

RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE APPOINTMENT OF STEVEN KROKOFF AS THE CHIEF OF THE ALBANY POLICE DEPARTMENT

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter, appointed Steven Krokoff as the Chief of the Albany Police Department.

NOW, THEREFORE, BE IT RESOLVED, that Steven Krokoff is confirmed as the Chief of the Albany Police Department.

Council Member Igoe asked for passage of RESOLUTION NUMBER 65.61.10R (RESOLUTION OF THE COMMON COUNCIL ADOPTING THE ALBANY COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN), which had been previously introduced.

Resolution Number 65.61.10R was Co-Sponsored by Council Members Freeman, Rosenzweig, Sano and Smith.

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

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

Affirmative 15 Negative 0 Abstain 0

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

MISCELLANEOUS AND UNFINISHED BUSINESS

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

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2010, AND WAIVE THE READING OF THE NAMES:

- Curtis, Daniel C, 58 Spring Street, Albany, NY 12210
- Curtis, Virginia L, 70 Spring St, Albany, NY 12210
- Dean, Andrew M, 54 Dove Street, Floor 1, Albany, NY 12210
- Deitz, Burr, 444 Whitehall Road, Albany, NY 12208
- Dixon, Clifton M, 29 2nd Street, Apt #101, Albany, NY 12210
- Krasher, Judd, 16 Norwood Avenue, Apt #1, Albany, NY 12208
- Peter, Matthew T, 185 Van Rensselaer Blvd., Apt #11-1A, Albany, NY 12204

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

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

Negative – Konev

Affirmative 14 Negative 1 Abstain 0

ADJOURNMENT

Council President Pro Tempore 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 21st, 2010.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL