

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

Wednesday, December 15, 2010

The Common Council was convened at 6:00 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, O'Brien, Rosenzweig, and Smith.

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

Council Member O'Brien led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

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

CONSIDERATION OF RESOLUTIONS

Council Member Conti on behalf of Council Member Sano introduced the following, asked for passage and a roll call vote thereon:

Resolution Number 121.122.10R

RESOLUTION OF THE COMMON COUNCIL AMENDING RESOLUTION 116.121.10R AND AUTHORIZING THE LEVY AND RE-LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDING AND CODES AND THE DEPARTMENT OF GENERAL SERVICES

WHEREAS, the Department of Fire and Emergency Services was created under Part 2 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, the Department of Building and Codes was created under Part 2 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, the Department of General Services was created under Part 5 of Chapter 42 of the Code of the City of Albany; and

WHEREAS, all of the above-referenced departments have the ability to apply charges to real property the services they perform at those properties during the course of any tax year; and

WHEREAS, those charges are transmitted to the Treasurer of the City of Albany and collected by the Treasurer; and

WHEREAS, Chapter 258, Section 258-2 of the Code of the City of Albany provides that "any unpaid fees, fines or penalties levied against property, or owner(s) thereof, within the City of Albany that are owed to the City of Albany for the violation of any or all City laws, ordinances and promulgations, and of all state laws, shall be and remain a lien against the property, and such fees, fines or penalties shall be collected by the City from the owner(s) of such property in the same manner as taxes are collected, in that such fees, fines or penalties shall be added to the property tax bill of the subject property"; and

WHEREAS, on or about November 15 of each year, the Treasurer creates an accounting of all these charges that remain uncollected from the preceding year; and

WHEREAS, there are charges that remain uncollected from the calendar year 2009 and those charges must be re-levied and placed on the 2011 annual tax roll of the City; and

WHEREAS, all of these charges uncollected in the preceding year need to be levied or re-levied and placed on the annual tax roll of the City of Albany; and

WHEREAS, the Treasurer of the City of Albany has filed with the Common Council a statement of unpaid charges for the year 2010 totaling \$1,629,623.78.

NOW, THEREFORE, BE IT RESOLVED, by the City of Albany Common Council that there be delinquent charges levied, re-levied and assessed against each specific lot or parcel of land as set forth in the statement of unpaid charges for the year 2010 by the City of Albany.

BE IT FURTHER RESOLVED, that such individual sums, being hereby levied and re-levied against said liable properties, amounting in the aggregate to \$1,629,623.78, shall be placed on the 2011 tax roll of the City of Albany and further allocated individually to the liable properties in conjunction with said properties' 2011 tax bills.

RESOLVED, that the charges totaling \$1,629,623.78 represent the following:

- 1) Delinquent Board Up Charges - \$105,998.68
- 2) Delinquent Demolition Charges - \$556,101.00
- 3) Delinquent Illegal Debris Charges - \$340,233.90
- 4) Delinquent Snow Removal Charges - \$2,546.95
- 5) Delinquent ROP Charges - \$52,379.25
- 6) Delinquent Demolition, Illegal Debris, Snow Removal and ROP Charges re-levied from 2009 - \$572,364.00

RESOLVED, that the Clerk of the City of Albany is directed to forward a certified copy of this resolution to the Treasurer of the City of Albany.

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, and Smith

Affirmative 13 Negative 0 Abstain 0

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

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 December 15th, 2010.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL