

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

**Monday, December 17, 2007**

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, Scalzo, Smith and Timmons.

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

Council Member Ellis led the Pledge of Allegiance.

**Following the Pledge of Allegiance, Council President Morris delivered her end-of-the-year address, which is printed at the conclusion of this meeting.**

**PUBLIC COMMENT PERIOD**

- 1) Vincent Riguso, 13 Beach Avenue, Albany, NY (Various Issues)

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

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

DEFERRED

**CONSIDERATION OF LOCAL LAWS**

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

**REPORTS OF STANDING COMMITTEES**

**Public Safety** – Council Member Scalzo stated that the committee met on December 18, 2007 at 6PM with Chief Tuffey for a discussion on APD gun policies.

**Planning, Economic Development, and Land Use** – Council Member Herring stated that the committee met on Wednesday, December 12, 2007 following caucus regarding Ordinance 75.112.07, which passed out of committee with a favorable recommendation.

**Law, Buildings and Code Enforcement** – Council Member Igoe stated that the committee would be meeting on December 19, 2007 at 5:30pm regarding various Code Enforcement ordinances.

**Housing and Community Development** – Council Member McLaughlin stated that the committee met on Wednesday, December 5, 2007 at 5:30PM regarding the “Block by Block” initiative and a discussed with Commissioner Yevoli the CDBG Year 34 applicants and anticipated awards.

**CONSIDERATION OF ORDINANCES**

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

**Ordinance Number 79.122.07**

**AN ORDINANCE AMENDING ARTICLE IX (PENALTIES FOR PARKING VIOLATIONS) OF CHAPTER 359 (VEHICLES AND TRAFFIC) TO ADD A NEW FINE FOR BLOCKING A HANDICAPPED ACCESSIBLE CURB RAMP**

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

**Section 1. Chapter 359 of the Code of the City of Albany is hereby amended to read as follows:**

**§359-87. Schedule of fines.**

A. There shall be a fine of \$150 for the following violations:

(1) Unauthorized handicap parking.

B. There shall be a fine of \$100 for the following violation:

(1) Fire hydrant.

(2) Blocking a handicapped accessible curb ramp.

C. There shall be a fine of \$75 for the following violations:

(1) Parking double.

D. There shall be a fine of \$50 for the following violations:

(1) Blocking driveway.

(2) Traffic obstruction.

(3) No stopping.

(4) Bus engine idling.

E. There shall be a fine of \$35 for the following violations:

(1) Prohibited parking, tow-away zone.

(2) Parking in fire lane.

(3) Obstructing snow removal.

(4) Prohibited parking, snow emergency route.

(5) Tow-truck parking.

(6) Trailer parking.

(7) Abandoned vehicle.

(8) Crosswalk parking.

- (9) Sidewalk parking.
- (10) No parking.
- (11) Emergency no parking.
- (12) Alternate parking.
- (13) Overtime parking in a prepaid parking permit area.
- (14) Prohibited parking of commercial vehicles in excess of 10,000 pounds.
- (15) 12 inches from curb.
- (16) Left side to curb.
- (17) Unauthorized angle parking.
- (18) Other (as designated by Director of the Traffic Engineering Department).

F. There shall be a fine of \$25 for the following violations:

- (1) No standing.
- (2) No standing, bus stop.
- (3) Overtime parking.
- (4) Vehicle repairs on streets.

**Section 2. This ordinance shall take effect immediately.**

Council Member Ellis introduced the following, which was referred to the Law, Buildings and Code Enforcement Committee:

**Ordinance Number 80.122.07**

**AN ORDINANCE AMENDING ARTICLE II (SERVICE OF NOTICES) AND ARTICLE III (PENALTIES) OF CHAPTER 133A (BUILDING CONSTRUCTION AND HOUSING: SPECIAL PROVISIONS) OF THE CODE OF THE CITY OF ALBANY**

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

**Section 1. Section 133A-2 of Chapter 133A of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133A-2. Notices of violations of code; service of papers.**

A. Service of notice. All notices issued pursuant to the provisions of Chapter 133 or Chapter 231 to restrain or remove any violation or to enforce compliance with any provision or requirement of such chapters may be served by:

- (1) Delivering to and leaving a copy of the same with any person or persons violating, or who may be liable under any of the several provisions of such chapters;

(2) By registered or certified mail to the most current address on file in the Rental Dwelling Registry under § 231-143, if any; or

(3) If none is on file, to the most current address on file in the City Department of Assessment and Taxation; or

(4) If such person or persons cannot be served by any of the aforesaid methods, after diligent search shall have been made for him or them, then such notice or order may be served by posting the same in a conspicuous place upon the premises where such violation is alleged to exist, or to which such notice may refer, or which may be deemed unsafe or dangerous, which shall be equivalent to personal service of said notice upon all parties for whom such search shall have been made; or

(5) By any other method of service authorized pursuant to Article 3 of the Civil Practice Law and Rules. All costs associated with this process are shall be charged to the property owner as outlined in 133.

B. Notice by mail to owners residing out of state. If the person or persons or any of them to whom said notice is directed do not reside in the State of New York and have no known place of business therein, the same may be served by delivering to, and leaving with, such person or persons, or either of them, a copy of said notice, or if said person or persons cannot be found within said state after diligent search, then by posting a copy of the same in the manner as aforesaid and depositing a copy thereof in a post office in the City of Albany, enclosed in a sealed wrapper addressed to said person or person at his or their last known place of residence, with the postage paid thereon; and said posting and mailing a copy of said notice shall be equivalent to personal service of said notice. Additionally, public posting of the notice shall be made through the local newspaper and on the city website.

**Section 2. Section 133A-3 of Chapter 133A of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133A-3. Penalties for offenses.**

A. Building Code.

(1) When a person is convicted of failing to comply with any provision of Chapter 133 or of the Uniform Fire Prevention and Building Code (hereinafter "Uniform Code"), such person shall be subject to a fine of not more than \$1,000 per day of violation or imprisonment not exceeding one year, or both such fine and imprisonment.

(2) The term "person," as used in this section, shall include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the building or part thereof.

(3) Each day of violation shall be deemed to constitute a separate offense.

(4) Fines levied shall constitute civil forfeitures to the City of Albany.

B. Housing Code.

(1) Any person convicted of a violation of the Housing Code (inclusive of noncompliance of administrative requirements), as defined under Part 3 or Part 4 of Chapter 231, shall be punished according to the following schedule:

(a) First offense: a fine of not less than \$[100] 250 nor more than \$[250] 400 per day the violation remains unabated or five days' imprisonment, or 50 hours of community service, or any combination thereof at the discretion of the Department and reported to the common council in the quarterly report.

(b) Second offense for the same violation regarding the same person and property committed within three years after the first offense: a fine of not less than \$[300] 500 nor more than \$[500] 800 per day the violation remains unabated, or 10 days' imprisonment or 100 hours of community service, or any combination thereof at the discretion of the Department and reported to the common council in the quarterly report.

(c) Third offense for the same violation regarding the same person and property committed within three years after the first offense: a fine of not less than \$[750] 1000 nor more than \$[1,000] 1,600 per day the violation remains unabated, or 15 days' imprisonment, or 150 hours of community service, or any combination thereof at the discretion of the Department and reported to the common council in the quarterly report.

(2) [Any] All persons convicted of a violation of the Housing Code, as defined under Part 5 of Chapter 231, shall be fined not less than \$[100] 250 nor more than \$[500]1600.

(3) The term "person," as used in this section, shall include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other legally responsible person, firm or corporation directly or indirectly in control of building of part thereof as subject to approval by the city.

(4) Each day of violation shall be deemed to constitute a separate offense.

(5) Fines levied shall constitute civil forfeitures to the City of Albany.

(6) Any unpaid fines of an owner of premises shall be subject to the placement and recordation of a lien by the City of Albany against such premises.

C. Historic districts and landmarks. Any person, firm, partnership or corporation convicted of a violation of the Historic District Law, as defined under Part 4 of Chapter 42, shall be punished according to the penalties provided in § 42-93 of said chapter. Alternatively, or in addition to the penalties prescribed in said chapter, any person, firm, partnership or corporation who violates the article or the terms or conditions of any certificate of appropriateness shall be liable for a civil penalty of up to the assessed value of the parcel, with or without the improvement, whichever is greater, where, in violation of this article or the terms or conditions of any certificate of appropriateness:

(1) All or substantially all of a building within a historic district has been demolished; or

(2) Work has been performed or a condition created or maintained which significantly impairs the structural integrity of a building within a historic district; or

(3) Work has been performed or a condition created or maintained which results in the destruction, removal or significant alteration of more than 50% of the square footage of two facades of a building within a historic district, including party and sidewalls; or

(4) The defendant has failed to take appropriate action to prevent any condition described in Subsection C(1), (2) or (3) from occurring.

**Section 3. This ordinance shall take effect immediately.**

Council Member Ellis introduced the following, which was referred to the Law, Buildings and Code Enforcement Committee:

**Ordinance Number 81.122.07**

**AN ORDINANCE AMENDING ARTICLE XIA (VACANT BUILDING REGISTRY) OF CHAPTER 133 (BUILDING CONSTRUCTION) OF THE CODE OF THE CITY OF ALBANY**

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

**Section 1. Section 133-78.2 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133-78.2. Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

**ENFORCEMENT OFFICER** — A duly authorized representative of the Department of Fire, Emergency and Building Services.

**OWNER** — Those shown to be the owner or owners on the records of the City of Albany Department of Assessment and Taxation, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises. Any such person shall have a joint and several obligation for compliance with the provisions of this article.

**SECURED BY OTHER THAN NORMAL MEANS** — A building secured by means other than those used in the design of the building.

**UNOCCUPIED** — A building which is not being used for an occupancy authorized by the owner.

**UNSECURED** — A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

**VACANT BUILDING** ----- [A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by the Department of Fire, Emergency and Building Services;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied;

F. Unoccupied for a period of time over 365 days, and during which time the enforcement officer has issued an order to correct code violations.]

A building that is not occupied but is secured as required by the City of Albany Code and is not delinquent on real property taxes or water and sewer assessments.

ABANDONED BUILDING ---- A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by the Department of Fire, Emergency and Building Services;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied;
- F. Unoccupied for a period of time over 365 days, and during which time the enforcement officer has issued an order to correct code violations.

**Section 2. Section 133-78.3 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133-78.3. Vacant building registration.**

A. The owner shall register with the Department of Fire, Emergency and Building Services not later than 30 days after any building located in an area zoned for, or abutting an area zoned for, residential or neighborhood commercial use in the City becomes a vacant building, as defined in § 133-78.2, or not later than 30 days after being notified by the Department of Fire, Emergency and Building Services of the requirement to register. The Department may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

B. The registration shall be submitted on forms provided by the Department of Fire, Emergency and Building Services and shall include the following information supplied by the owner:

(1) A description of the premises, including pictures and subject to inspection for accuracy by a representative of the Department of Fire, Emergency and Building Services.

(2) The names and addresses of the owner or owners and a signed statement acknowledging that the owner is responsible for notifying the City of transfer of ownership and updates to contact information which shall be subject to a fine equal to the administrative cost of discovery, research and resolution.

(3) If the owner does not reside in Albany County or any adjoining county, the name and address of [any] a legally responsible third party with whom the owner has entered into a contract or agreement for property management.

(4) The names and addresses of all known lienholders and all other parties with an ownership interest in the building.

(5) A telephone number where a responsible party can be reached at all times during business and nonbusiness hours.

(6) A vacant building plan as described in Subsection C.

C. The owner shall submit a vacant building plan which must meet the approval of the Enforcement Officer with guidance from the Department of Planning and Development. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition.

(2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided in §§ 133-68.1 and 133-68.2, if applicable, along with the procedure that will be used to maintain the property in accordance with Article XI, and a statement of the reasons why the building will be left vacant.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property. The rehabilitation plan shall not exceed 365 days, unless the Enforcement Officer grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with § 133-68, if applicable, during the rehabilitation. The city will conduct a visual inspection of the property to verify that progress is being made on the plan prior to approval for an extension and the property owner will be responsible for administrative costs associated with this inspection.

- a. All approvals for extension will be signed by an authorized/responsible representative of the city and kept on file for public access.
- b. Actual costs associated with the visual inspection shall be collected in addition to the fee covering the administrative costs for the year.
- c. All extensions will be subject too approval by the common council and incorporated into the quarterly report and to the mayor and the common council.

D. The Enforcement Officer shall provide the owner with a written referral to the Department of Development and Planning for information outlining programs available which may be useful in developing the owner's rehabilitation plan. The Department of Development and Planning will work together with the Enforcement Officer to ensure that each property owner has a viable plan on file with the City.

E. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Enforcement Officer. All internal and external aspects of the property are subject to inspection at any time while on the vacant building register to verify that the rehabilitation plan on file is being implemented in a timely manner. All costs associated with administration of this inspection will be charged to the property owner if the property is found to be out of compliance with the plan on file.

F. The owner on file [and subsequent owners] shall keep the building secured and safe and the building and ground properly maintained as provided in Article XI of this chapter.

G. Failure of the owner or any subsequent owners to maintain the building and premises that result in remedial action taken by the City shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law including seizure of the property.

H. The new owners shall register or re-register the vacant building with the Enforcement Officer within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Enforcement Officer. Failure to meet this expectation will result in a fine of up to \$250 per day for each day of non-compliance. Should the city discover non-compliance, the owner shall pay all costs associated with discovery, research and resolution.

I. Vacant building fees.

(1) The owner of a vacant building shall pay an [annual] fee of \$200 for the first year the building is placed on the vacant building registry. Should the building remain on the registry beyond 365 days, the annual fee shall be doubled for each year the building remains on the registry beyond the approved timeframe as provided in section C, not secured as defined in section B or not demolished as defined in section A of § 133-78.3 [period the building remains a vacant building]. The fee shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the City in monitoring the vacant building site.

(2) The first annual fee shall be paid no later than 30 days after the building becomes vacant. If the fee is not paid within 30 days of being due, the owner shall be subject to prosecution as prescribed in § 133-80. If a plan is extended beyond 365 days, subsequent annual fees shall be doubled and due on the anniversary date. This can be supported in that the longer the house is vacant the greater the cost to the city to maintain community safety (rodents, water/sewer, drug use, crime.

(3) The fee shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit. The fee shall be prorated, and a refund may be issued if the building is no longer deemed vacant under the provisions of this article within 180 days of its registry. Exceptions will be reviewed on a quarterly basis by the common council and will be made public.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than 30 days after the transfer of ownership, and subsequent annual fees shall be due on the new anniversary date. Exceptions will be reviewed on a quarterly basis by the common council and will be made public.

J. The Enforcement Officer shall include in the file any property-specific written statements from community organizations, other interested parties or citizens regarding the history, problems, status or blighting influence of a vacant building.

**Section 3. Section 133-78.5 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133-78.5 Inspections.**

The Department of Fire, Emergency and Building Services shall inspect all [any] premises in the City for the purpose of enforcing and assuring compliance with the provisions of this article. Upon the request of the Enforcement Officer, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the enforcement officer or his or her designee in order to enable such inspection, and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises after having been advised of his or her constitutional right to refuse entry without same.

**Section 4. Section 133-78.6 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133-78.6. Quarterly reports.**

Once every three months, the Department of Fire, Emergency and Building Services shall send to the Mayor and to the Common Council a list of all buildings in the City declared vacant under the provisions of this article, a list of all previously declared vacant buildings which are no longer subject to the provisions of this article, fees generated by the registry, a list of “repeat offender” property owners, all leins and seizures evoked under the code, as well as a list of all exemptions for review and consideration by the council.

**Section 5. This ordinance shall take effect immediately.**

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

**Ordinance Number 82.122.07**

**AN ORDINANCE AMENDING CHAPTER 303 (SIDEWALK AND OUTDOOR CAFES) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PERMIT FEES**

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

Section 1. Section 303-9 of Chapter 303 of the Code of the City of Albany is amended to read as follows:

The fee for processing the application for a sidewalk or outdoor cafe permit shall be [fifty dollars (\$50.)] sixty-five dollars (\$65).

**Section 2. This ordinance shall take effect immediately.**

Council Member Conti asked for passage and a roll call vote thereon of ORDINANCE 75.112.07 (AN ORDINANCE AMENDING CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO INSTANCES WHERE AN APPLICATION TO THE BOARD OF ZONING APPEALS MAY BE HELD DUE TO NONCOMPLIANCE WITH THE PROVISIONS OF ARTICLE XI (MAINTAINENCE OF VACANT BUILDINGS) OR ARTICLE XIA (VACANT BUILDING REGISTRY) OF CHAPTER 133 OF THE CODE OF THE CITY OF ALBANY), which had been previously introduced.

*Ordinance Number 75.112.07 was Co-Sponsored by Council Members Ellis, McLaughlin, Rosenzweig, Sano, Scalzo, 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, Scalzo, Smith and Timmons

Affirmative 14 Negative 0 Abstain 0

Council Member McLaughlin asked for passage and a roll call vote thereon of ORDINANCE 78.121.07 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 55 THIRD AVENUE (TAX MAP #76.64-3-39) IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO CAPITAL DISTRICT HABITAT FOR HUMANITY), 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, Scalzo, Smith and Timmons

Affirmative 14 Negative 0 Abstain 0

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

**CONSIDERATION OF RESOLUTIONS**

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

**Resolution 77.122.07R**

**A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE**

**WHEREAS**, the State of New York provides financial aid for household hazardous waste programs; and

**WHEREAS**, the City of Albany, herein called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between the People of the State of New York, herein called the State, and the Municipality be executed for such State Aid.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Albany, that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

**BE IT FURTHER RESOLVED**, that the Commissioner of the Department of General Services, or his designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.

**RESOLVED**, that the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.

**RESOLVED**, that five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.

**RESOLVED**, that this resolution shall take effect 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, Scalzo, Smith and Timmons

Affirmative 14 Negative 0 Abstain 0

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

**Resolution 78.122.07R**

**RESOLUTION OF THE COMMON COUNCIL IN SUPPORT OF IMPLEMENTING A TWO YEAR FIREFIGHTER TRAINING PROGRAM IN COOPERATION WITH THE ALBANY SCHOOL DISTRICT AIMED AT INCREASING DIVERSITY WITHIN THE ALBANY FIRE DEPARTMENT**

**WHEREAS**, the Albany Fire Department is not demographically reflective of the City of Albany citizenry; and

**WHEREAS**, the City of Albany has never been successful in creating an appropriate ratio of diversity within the police department after a public effort to recruit qualified applicants within the adult community; and

**WHEREAS**, this effort will highlight proactive initiatives in anticipation of proposed federal legislation aimed at creating more opportunities for, in particular, young men of color; and

**WHEREAS**, the current graduation rate of African American males is 33% and the graduation rate of Hispanic males is 29%; and

**WHEREAS**, the Albany City School District supports the initiative to develop leadership skills, professional development and a continued commitment to the community through a two year program aimed at high school students (11<sup>th</sup> and 12<sup>th</sup> grades) dedicated to investing in their future with the Albany Fire Department; and

**WHEREAS**, this program will engage students with “drop out potential” and lead them to productive lives as tax paying individuals within the Albany community; and

**WHEREAS**, 1 out of every 3 black men between age 16 and 64 is not working and that 72% of black male high school dropouts are jobless; and

**WHEREAS**, this program shall be free to participants within the program with the agreement that they shall, upon successful graduation and recommendation of the program directors, hired into the Albany Fire Department where they will be obligated to remain for a minimum of 5 years; and

**WHEREAS**, all program participants, upon graduation, will commit to mentoring future program participants for a minimum of 3 years upon hire; and

**WHEREAS**, this program will serve as a model for future programs aimed at developing a more diverse workforce in the City of Albany.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany fully supports this collaborative program between the City of Albany and the Albany School District aimed at increasing diversity within the Albany Fire Department, decreasing the dropout rate among youth of color in the Albany School District, decreasing the percentage of the population that are jobless and utilizing this program as a pilot model to promote pride within our community and developing a workforce in the City of Albany reflective of that community.

**BE IT FURTHER RESOLVED**, that the Clerk of the City of Albany is hereby directed to transmit a copy of this resolution to the Albany City School District Superintendent and the Albany City School Board.

**ADJOURNMENT**

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 December 17th, 2007.

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