

INDIVIDUAL COMMENTS FROM COMMON COUNCIL MEMBERS – NOT APPROVED BY MAJORITY VOTE OR TO BE CONSIDERED THE VIEWS OF THE COMMON COUNCIL

RECOMMENDATIONS FROM COUNCIL MEMBER COREY ELLIS:

To ensure accountability for the revenue that parking tickets generate – revenue due the citizens of Albany – I recommend that the PSOs report directly to the Treasurer’s office. Far too much testimony from representatives of the police department, police officers union and from the Treasurer’s office about the existence and intended purpose of a bulls-eye sticker program and VIP list was contradictory.

The widespread abuse of the VIP list and the use of bulls-eyes stickers breached public trust. Therefore, I recommend that District Attorney David Soares’ Public Integrity Unit looks into this matter.

The citizens of Albany deserve the assurance that the Treasurer is responsible for the full accounting and reporting of income and expenses that flow to and from the City. The abuse of the parking ticket system – through the issuance of bulls-eye stickers and through the use of a VIP list - is an affront to all of the citizens of Albany. The Treasurer must be held accountable and must be responsible for ticket revenue – ensuring that it is properly accounted for and collected as due. That is why I recommend that the PSOs and the system by which fines will be issued, accounted for (paid or dismissed) should reside entirely in the Treasurer’s office.

To ensure that all ticket revenue due the city is accounted for, tickets should no longer be manually written – they must be issued via a handheld to ensure that all tickets are accounted for. Additionally, no longer can a system of bulls-eye sticker or VIP lists be allowed to exist. Instead, a City of Albany-sanctioned placard system must be adopted.

Placards:

Placards should be issued, controlled and reported by the Treasurer’s office and issued for official city business purposes and for use by elected officials only.

A policy surrounding the issuance and use of placards must be developed (including but not limited to parameters surrounding their issuance, as well as the need for up to two levels of supervisors/superiors to sign-off on the reason for the placard request).

Placards – when issued – are to contain a system generated (sequential) ‘control’ number. The control number should contain the year (last two digits of the year), month (two digits for the month) and day in which the placard was issued - as well as the license plate number of the vehicle. A means of categorizing *the purpose* for issuing the placard must also be developed and the designated parking area to which the placard applies must also be tracked in a system. The issuance of a placard along with its control number, expiration date, and applicable parking area should interface (in real time) with the handhelds.

Again, any and all tickets that are issued should no longer be manually written – they must be issued via a handheld to ensure that all tickets are accounted for.

The availability of the aforementioned data (in the handheld) will enable PSOs to identify whether the placard is legitimate, and whether it is current (not expired). In addition to the parking violation fine, a separate fine should be applied to the ticket for any placards that are being used illegally (and for those that are being used after the expiration date).

All tickets should contain a fine (dollar amount) consistent with the violation. All ticket information must be transmitted from the handheld to the Treasurer-controlled database nightly. The parking violation (fine) assigned to a vehicle displaying a legitimate placard should be accounted for, tracked, reported – but not collected. A thorough reconciliation of tickets issued but not collected (due to the existence of a legitimate placard) must be performed daily and reported weekly – and the data retained.

A Treasurer’s office-issued letter should be sent to the vehicle owner, informing the owner that the ticket is dismissed due to the existence of the placard. [Vehicle owners should be made acutely aware of the placard/ticket issuance process and procedure at the time they apply for a placard – to eliminate any confusion, should they be issued a ticket.]

RECOMMENDATIONS FROM COUNCIL MEMBER FAHEY:

The Common Council's recent public investigation has revealed long standing unofficially sanctioned and unregulated practices by the Albany Police Department and the Parking Violations Bureau to use bulls-eye decals and V.I.P. lists to avoid parking tickets. It is unlikely that any of the top city officials—Mayor Jennings, Treasurer Barnette and Chief Tuffey—were unaware of it. Additionally, it is inexcusable that the Parking Violations Bureau under the direction of Treasurer Betty Barnette has continued to function improperly and inefficiently for years, despite outside advice and assistance. Recommendations made as a result of the Council's investigation will be useful in ending the inequities and improving government policy and operations.

Mayor Jennings rightly called a halt to the use of “no fine” tickets for bulls-eye decals and any V.I.P. list last fall when the issue was brought to light in a series of news articles. One must ask the question, however, as to why these abuses were allowed to continue for the last fifteen years under his and Treasurer Barnette's leadership? Aside from the inequities, the city has lost millions of dollars in uncollected fines that it can ill afford. The citizens of Albany deserve better than this.

The majority of Albany citizens pay their parking fines. A \$45 fine for parking at a meter whose time has expired may seem excessive, yet most people pay it because it is the law. For years, however, there has been a select group of people who have been treated differently, and not required to follow the law. Albany citizens are right to be outraged that the consequences of breaking the law are meted out differently based on “who you know” in City Hall. They are entitled to want a full public discussion of the issue so they can understand it, determine where responsibility lies, and what specific remedies are available.