

ORDINANCES INTRODUCED

32.51.11 AN ORDINANCE AMENDING SECTION 231-91 (OPEN AREAS) OF CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO OUTDOOR FURNITURE

33.51.11 AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$325,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$325,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PUMPER TRUCK APPARATUS)

RESOLUTIONS INTRODUCED

22.51.11R

**RESOLUTION HONORING THE LIFE OF RICHARD LAWSON,
JR.**

Council Member Sano introduced the following:

Ordinance Number 32.51.11

AN ORDINANCE AMENDING SECTION 231-91 (OPEN AREAS) OF CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO OUTDOOR FURNITURE

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

Section 1. Section 231-91 of Chapter 231 of the Code of the City of Albany is hereby amended by adding thereto a new subdivision K to read as follows:

K. The use of any upholstered furniture manufactured primarily for indoor use, including mattresses, shall be prohibited on any front or side yard visible from any public place, sidewalk or highway or on any unenclosed front porch.

Section 2. This ordinance shall take effect immediately.

**Approved as to form
April 22, 2011**

Corporation Counsel

TO: John Marsolais, City Clerk
FROM: James Sano, Council Member
RE: Request for Common Council Legislation
Supporting Memorandum
DATE: April 22, 2011

ORDINANCE NUMBER 32.51.11

TITLE: AN ORDINANCE AMENDING SECTION 231-91 (OPEN AREAS) OF CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO OUTDOOR FURNITURE

GENERAL PURPOSE OF LEGISLATION: This ordinance amends the property maintenance law to prohibit the placement of indoor furniture outside on an unenclosed porch or outside where it can be viewed from the street.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:

FISCAL IMPACT: None.

Council Member Sano introduced the following:

Ordinance Number 33.51.11

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$325,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$325,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PUMPER TRUCK APPARATUS)

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

Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.

Object or Purpose: Fire-fighting and apparatus

Local Finance Law Section 11.00(a) Subparagraph 27

Period of Probable Usefulness: 15 years

Maximum Term of Obligations: 15 years

Maximum Estimated Cost: \$325,000.00

Maximum Amount of Bonds: \$325,000.00

Treasurer's Bond Authorization Numbers: Q-11

Treasurer's Project Numbers: GH 34108118

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$325,000.00 serial bonds hereby authorized to be issued.

Section 3. It is hereby ordered and directed that the projects specified above be undertaken and the amounts set forth as the maximum estimated costs are hereby appropriated therefor. The Board of Contract and Supply is hereby authorized to take such necessary and further steps to carry out the provisions of this section.

Section 4. Pending the sale of the bonds herein authorized, the temporary use of funds from the City's general fund, pursuant to the provisions of section 165.10 of the New

York Local Finance Law, is hereby authorized. The City reasonably expects to reimburse such temporary expenditures with the proceeds of the bonds or bond anticipation notes authorized by section 1 of this ordinance. This ordinance shall constitute the City's "official intent" to reimburse such temporary expenditures in accordance with United States Treasury Regulation section 1.150-2.

Section 5. The faith and credit of the City of Albany, New York are hereby irrevocably pledged for the payment of the principal of and interest on such leases or bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such leases or bonds becoming due and payable in such year and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. There shall annually be levied on all taxable real property of said City, a tax sufficient to pay the principal of and interest on such leases or bonds as the same become due and payable.

Section 6. Subject to the provisions of the New York Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated in the City Treasurer, as chief fiscal officer of the City of Albany. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of Local Finance Law.

Section 7. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the leases or bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 8. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial issuer of the leases or the purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

Section 9. The validity of such leases or bonds and bond anticipation notes may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this ordinance pursuant to Section 8 hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publications, or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Upon this ordinance taking effect, the Clerk of the Common Council is hereby authorized and directed to publish the same together with a notice in substantially the form set forth in section 81.00 of the New York Local Finance Law.

Section 11. It is hereby determined that except as hereinafter specified, the authority and funding of the projects aforesaid constitute either unlisted or Type II actions under the New York State Environmental Quality Review Act and the regulations promulgated thereunder having no adverse effect upon the environment.

Section 12. This ordinance shall be dated April 22, 2011 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
April 22, 2011**

Corporation Counsel

Council Member Freeman offered the following at the request of Common Council President McLaughlin:

Resolution Number 22.51.11R

RESOLUTION HONORING THE LIFE OF RICHARD LAWSON, JR.

WHEREAS, Richard Lawson, Jr. was born in 1939 in North Carolina, the oldest of 16 children, and

WHEREAS, he attended Phillip Schuyler High School graduating in 1957, where he was an avid member of the French Club, and

WHEREAS, he attended the New Church of Christ Bible College and Christ Theological Seminary. He graduated from the Reverend Lee Stoneking Religious College and ETTA Wheaton Bible College graduating in Public Ministry and Evangelism, receiving Preliminary and Advanced Diploma's in Religious Education. He was ordained Arch Deacon in 1974 under the leadership of the Late Bishop Joseph Brown, Sr., at the New Church of Christ Holiness unto the Lord, and

WHEREAS, Mr. Lawson was a member of the Senior Usher Board, Men's Choir, Workers Plus One and Pastor Aide Department. He served as the Sunday School Superintendent, Sunday School Teacher, President of the Deacon Board, Church Treasurer, church choir member, member of the Local & General Executive Board, and was a past member of the Capital City Council #78. He was also a former member of the NLCC Soft Ball League and Bowling Leagues and an honorary member of the Giffen Memorial Elementary School board, and

WHEREAS, he served as a committee person for Election District 2, Ward 8, and an election inspector. He was known as a grandfather to all the young children on the block, homework tutor, and assisted in Pop Warner and Little League.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council honors and commemorates the life of Richard Lawson, Jr. and recognizes his contributions to the community at large.

**SUPPORTING MEMORANDUM
RESOLUTION NUMBER 22.51.11R**

SPONSOR: Council Member Freeman

DATE: April 22, 2011

TITLE: RESOLUTION HONORING THE LIFE OF RICHARD LAWSON, JR.

SUMMARY OF RESOLUTION: The resolution recognizes the life of Richard Lawson upon his recent passing.

NECESSITY FOR RESOLUTION AND ANY CHANGE TO EXISTING LAW: To recognize officially the contributions of a valued member of the City of Albany community.

FISCAL IMPACT: N/A.