

LOCAL LAWS INTRODUCED

LOCAL LAW E – 2010

A LOCAL LAW AMENDING ARTICLE 2 (ELECTIVE OFFICERS) AND ARTICLE 4 (LEGISLATIVE BRANCH) OF THE CHARTER OF THE CITY OF ALBANY IN RELATION TO RESTRUCTURING THE COMMON COUNCIL

LOCAL LAW F - 2010

A LOCAL LAW AMENDING ARTICLE 2 (ELECTIVE OFFICERS) AND ARTICLE 4 (LEGISLATIVE BRANCH) OF THE CHARTER OF THE CITY OF ALBANY IN RELATION TO RESTRUCTURING THE COMMON COUNCIL

LOCAL LAW G - 2010

A LOCAL LAW AMENDING PART 22 (ELECTIVE AND APPOINTIVE OFFICERS OF THE CITY OF ALBANY) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SALARIES OF THE COMMON COUNCIL

ORDINANCES INTRODUCED

- 35.31.10** AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$450,000.00 AND AUTHORIZING THE ISSUANCE OF \$450,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNALS)
- 36.31.10** AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$140,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$140,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNAL AERIAL TRUCK)
- 37.31.10** AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$545,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$545,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (POLICE VEHICLES)
- 38.31.10** AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$4,738,000.00 AND AUTHORIZING THE ISSUANCE OF \$4,738,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (WASHINGTON AND WESTERN TRAFFIC SIGNAL PROJECT)
- 39.31.10** AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$844,000.00 AND AUTHORIZING THE ISSUANCE OF \$844,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (NEW SCOTLAND TRAFFIC SIGNAL PROJECT)
- 40.31.10** AN ORDINANCE AMENDING CHAPTER 54 OF THE CODE OF THE CITY OF ALBANY IN RELATION TO ETHICS AND FINANCIAL DISCLOSURE
- 41.31.10** AN ORDINANCE AMENDING CHAPTER 54 (FINANCIAL DISCLOSURE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO GIFTS TO UNIFORMED EMPLOYEES

- 42.31.10 AN ORDINANCE AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 37 ENTITLED "CITY OF ALBANY COMMISSION ON PUBLIC-PRIVATE BUDGETARY COOPERATION" AND PROVIDING FOR THE RESPONSIBILITIES OF THE COMMISSION WITH RESPECT TO REVIEWING THE FISCAL IMPACT OF TAX-EXEMPT ENTITIES ON THE CITY'S TAX BASE AND THE CITY'S ABILITY TO CONTINUE FUNDING OF ESSENTIAL CITY SERVICES AND REQUIRING THE COMMISSION TO MAKE FINDINGS AND RECOMMENDATIONS TO THE MAYOR AND THE COMMON COUNCIL REGARDING FINANCIAL CONTRIBUTIONS TO BE MADE BY TAX-EXEMPT ENTITIES IN SUPPORT OF ESSENTIAL CITY SERVICES**
- 43.31.10 AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF A PORTION OF BINGHAM STREET IN THE CITY OF ALBANY**
- 44.31.10 AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 33 GLENN STREET, 124, 156 AND 158 FIRST STREET AND THE ABANDONED PORTION OF BINGHAM STREET ADJACENT TO 131 MCCARTY AVENUE IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO THE ADDICTIONS CARE CENTER OF ALBANY**

RESOLUTIONS INTRODUCED

25.31.10R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE APPOINTMENT OF KEVIN O'CONNER AS CHAIRMAN OF THE ALBANY PARKING AUTHORITY

26.31.10R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE APPOINTMENT OF LESLIE SCOTT MORAN TO THE BOARD OF ZONING APPEALS

27.31.10R RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE APPOINTMENT OF CHARLES J. CRONIN, JR. TO THE BOARD OF ZONING APPEALS

Council Member Conti introduced the following:

LOCAL LAW E - 2010

A LOCAL LAW AMENDING ARTICLE 2 (ELECTIVE OFFICERS) AND ARTICLE 4 (LEGISLATIVE BRANCH) OF THE CHARTER OF THE CITY OF ALBANY IN RELATION TO RESTRUCTURING THE COMMON COUNCIL

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Findings and Intent. The Common Council finds that the size of Albany's legislative body is larger than that of neighboring municipalities and cities of comparable size. The Common Council further finds that a smaller body would be more cohesive and serve as a stronger check and balance to the executive branch of government. The Common Council also finds that it lacks adequate resources to support its role as the policy making body of government. The intention of this local law is to restructure the Common Council in a way that it will still be representative of the diversity within the City of Albany, yet by making it a smaller body strengthen its ability to serve as a check and balance on the executive branch and to reinvest a portion of savings through restructuring into providing additional resources for the Common Council. The Common Council further finds that the duties and responsibilities of a separately elected President of the Common Council are better exercised by a member of the Common Council elected by Council Members. This will strengthen the position of President of the Common Council as an office which is representative of the Council.

Section 2. Article 2 Section 201 of the Charter of the City of Albany shall be amended as follows:

SECTION 201. Elective Officers; Terms.

Except where otherwise stated in this Charter, there shall be elected by the qualified voters of the City: a Mayor, Comptroller, and Treasurer~~[-and President of the Common Council]~~. There shall also be elected by the qualified voters of each ward in the City: one Common Council member to represent each ward. The term of office of the Mayor, Comptroller, Treasurer~~[-President of the Common Council]~~ and each "Council Member" shall be four years commencing on the first day of January next succeeding his or her election. Effective January 1, 2010, the office of Comptroller shall be eliminated, and a new office of Audit and Control, headed by a Chief City Auditor, shall be established as set forth in Article 6 of this Charter. The term of office of the Chief City Auditor shall be four years commencing on the first day of January next succeeding his or her election. The first election of Chief City Auditor shall be at the general election held in November, 2009.

Section 3. Article 2 Section 202 of the Charter of the City of Albany shall be amended as follows:

SECTION 202. Continuous Terms.

Except where otherwise stated in this Charter, the regular election of the Mayor, Comptroller, Treasurer[, ~~President of the Common Council~~] and each "Council Member" shall be held every four years; existing terms shall continue uninterrupted by this Charter.

Section 4. Article 4 Section 402 of the Charter of the City of Albany shall be amended as follows:

SECTION 402. Members.

The Common Council shall be an elective body comprised of [~~a President of the Common Council and not more than~~] one "Council Member" duly elected from each ward within the City. Each "Council Member" shall be a resident of the ward from which he or she is elected. There shall not be more than [45] nine wards within the City.

SECTION 402. Members.

The Common Council shall be an elective body comprised of [~~a President of the Common Council and not more than~~] one "Council Member" duly elected from each ward within the City. Each "Council Member" shall be a resident of the ward from which he or she is elected. There shall not be more than [45] nine wards within the City.

Section 5. Article 4 Section 403 of the Charter of the City of Albany shall be amended as follows:

SECTION 403. President of the Common Council.

The President of the Common Council shall be elected [~~in the City at large,~~] by majority vote of the Common Council at the organizational meeting held in January succeeding the general election of members and shall succeed the Mayor in the event of death, resignation, absence or disability as set forth in the General City Law; except that the powers and duties of the Office of the Mayor shall not devolve upon the President of the Common Council during a limited period of either absence of the Mayor from the City or inability of the Mayor to perform his or her powers and duties. The President shall preside over the meetings of the Common Council and perform such other functions as set forth in Second Class Cities Law.

Section 6. Notwithstanding any inconsistent provision of law, of funds appropriated in the City of Albany adopted budget for the fiscal year immediately preceding the effective date of this local law related to personal services expenditures for six members of the Common Council and the President of the Common Council shall be allocated in the subsequent fiscal year budget as follows: thirty percent as a personal services expenditure related to personnel; and, eighteen percent as a proportionate adjustment to the base

personal services expenditure for the nine members of the Common Council to take office in such fiscal year. Appropriate adjustments shall be further made to reflect allocations for employee benefits.

Section 7. Except as herein amended, the Charter of the City of Albany as adopted on November 3, 1998 is hereby ratified, continued, and approved.

Section 8. This local law, to the extent inconsistent, supersedes the NYS Second Class Cities Law.

Section 9. This local law shall take effect upon final passage, public hearing and approval of the electors at a general election of state or local government officers held not less than sixty days after the adoption of this local law. It shall apply to the election of the City of Albany Common Council held in November 2013.

Council Member Konev introduced the following:

LOCAL LAW F - 2010

A LOCAL LAW AMENDING ARTICLE 2 (ELECTIVE OFFICERS) AND ARTICLE 4 (LEGISLATIVE BRANCH) OF THE CHARTER OF THE CITY OF ALBANY IN RELATION TO RESTRUCTURING THE COMMON COUNCIL

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Findings and Intent. The Common Council finds that the size of Albany's legislative body is larger than that of neighboring municipalities and cities of comparable size. The Common Council further finds that a smaller body would be more cohesive and serve as a stronger check and balance to the executive branch of government. The intention of this local law is to restructure the Common Council in a way that it will still be representative of the diversity within the City of Albany, yet by making it a smaller body strengthen its ability to serve as a check and balance on the executive branch and to reinvest a portion of savings through restructuring into providing additional resources for the Common Council. The Common Council further finds that the duties and responsibilities of a separately elected President of the Common Council are better exercised by a member of the Common Council elected by Council Members. This will strengthen the position of President of the Common Council as an office which is representative of the Council.

Section 2. Article 2 Section 201 of the Charter of the City of Albany shall be amended as follows:

SECTION 201. Elective Officers; Terms.

Except where otherwise stated in this Charter, there shall be elected by the qualified voters of the City: a Mayor, Comptroller, and Treasurer~~[, and President of the Common Council]~~. There shall also be elected by the qualified voters of each ward in the City: one Common Council member to represent each ward. The term of office of the Mayor, Comptroller, Treasurer~~[, President of the Common Council]~~ and each "Council Member" shall be four years commencing on the first day of January next succeeding his or her election. Effective January 1, 2010, the office of Comptroller shall be eliminated, and a new office of Audit and Control, headed by a Chief City Auditor, shall be established as set forth in Article 6 of this Charter. The term of office of the Chief City Auditor shall be four years commencing on the first day of January next succeeding his or her election. The first election of Chief City Auditor shall be at the general election held in November, 2009.

Section 3. Article 2 Section 202 of the Charter of the City of Albany shall be amended as follows:

SECTION 202. Continuous Terms.

Except where otherwise stated in this Charter, the regular election of the Mayor, Comptroller, Treasurer[, President of the Common Council] and each "Council Member" shall be held every four years; existing terms shall continue uninterrupted by this Charter.

Section 4. Article 4 Section 402 of the Charter of the City of Albany shall be amended as follows:

SECTION 402. Members.

The Common Council shall be an elective body comprised of [~~a President of the Common Council and not more than~~] one "Council Member" duly elected from each ward within the City. Each "Council Member" shall be a resident of the ward from which he or she is elected. There shall not be more than [15] seven wards within the City.

Section 5. Article 4 Section 403 of the Charter of the City of Albany shall be amended as follows:

SECTION 403. President of the Common Council.

The President of the Common Council shall be elected [~~in the City at large,~~] by majority vote of the Common Council at the organizational meeting held in January succeeding the general election of members and shall succeed the Mayor in the event of death, resignation, absence or disability as set forth in the General City Law; except that the powers and duties of the Office of the Mayor shall not devolve upon the President of the Common Council during a limited period of either absence of the Mayor from the City or inability of the Mayor to perform his or her powers and duties. The President shall preside over the meetings of the Common Council and perform such other functions as set forth in Second Class Cities Law.

Section 6. Except as herein amended, the Charter of the City of Albany as adopted on November 3, 1998 is hereby ratified, continued, and approved.

Section 7. This local law, to the extent inconsistent, supersedes the New York State Second Class Cities Law.

Section 8. This local law shall take effect upon final passage, public hearing and approval of the electors at a general election of state or local government officers held not less than sixty days after the adoption of this local law. It shall apply to the election of the City of Albany Common Council held in November 2013.

Council Member Konev introduced the following:

LOCAL LAW G - 2010

A LOCAL LAW AMENDING PART 22 (ELECTIVE AND APPOINTIVE OFFICERS OF THE CITY OF ALBANY) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SALARIES OF THE COMMON COUNCIL

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Part 22 of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

§ 42-263. Annual Salaries; elective officers.

A. The following elective officers of the City of Albany shall receive an annual salary in the following sums, respectively:

Officer	Salary
Mayor	\$65,000.00 <u>\$ 135,403</u>
Comptroller <u>City Auditor</u>	\$45,000.00 <u>\$98,483.00</u>
<u>City Treasurer</u>	\$45,000.00 <u>\$98,483.00</u>
President, Common Council	\$15,000.00 <u>\$30,000.00</u>
Alderman , Common Council <u>Members</u>	\$9,850.00 <u>\$ 30,000.00</u>

~~B. The following elective officers of the City of Albany shall receive an annual salary in the following sums, respectively:~~

Officer	Salary
Police Justice	\$25,000.00
Justice of the City Court	\$7,500.00
Recorder of Traffic Court	\$7,500.00

~~§ 42-264. Increase in salaries subject to approval of Board of Estimate and Apportionment.~~

~~Whenever required by existing provisions of law, the aforesaid increases in salary shall be subject to approval by the Board of Estimate and Apportionment.~~

Section 2. Local Law No. 9 of 1984 providing for automatic salary increases in elected officials salaries is hereby repealed.

Section 3. This local law shall take effect January 1, 2014.

Council Member Sano introduced the following:

Ordinance Number 35.31.10

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$450,000.00 AND AUTHORIZING THE ISSUANCE OF \$450,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNALS)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72**

Period of Probable Usefulness: 10 years

Maximum Term of Obligations: 10 years

Maximum Estimated Cost: \$450,000.00

Maximum Amount of Bonds: \$450,000.00

Treasurer's Bond Authorization Numbers: S-10

Treasurer's Project Numbers: GH 33108020

Section 2. The plan of financing such objects or purposes is the issuance of \$450,000.00 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 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 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 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 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 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 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 of 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 March 1, 2010 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Sano introduced the following:

Ordinance Number 36.31.10

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$140,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$140,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNAL AERIAL TRUCK)

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: Motor vehicles

Local Finance Law Section 11.00(a) Subparagraph 29

Period of Probable Usefulness: 5 years

Maximum Term of Obligations: 5 years

Maximum Estimated Cost: \$140,000.00

Maximum Amount of Bonds: \$140,000.00

Treasurer's Bond Authorization Numbers: T-10

Treasurer's Project Numbers: GH 33108021

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$140,000.00 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 of 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 March 1, 2010 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Sano introduced the following:

Ordinance Number 37.31.10

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$545,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$545,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (POLICE VEHICLES)

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: Passenger vehicle other than a school bus

Local Finance Law Section 11.00(a) Subparagraph 77

Period of Probable Usefulness: 3 years

Maximum Term of Obligations: 3 years

Maximum Estimated Cost: \$545,000.00

Maximum Amount of Bonds: \$545,000.00

Treasurer's Bond Authorization Numbers: U-10

Treasurer's Project Numbers: GH 33108022

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$545,000.00 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 of 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 March 1, 2010 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Sano introduced the following:

Ordinance Number 38.31.10

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$4,738,000.00 AND AUTHORIZING THE ISSUANCE OF \$4,738,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (WASHINGTON AND WESTERN TRAFFIC SIGNAL PROJECT)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign supports

Local Finance Law Section 11.00(a) Subparagraph 72

Period of Probable Usefulness: 20 years

Maximum Term of Obligations: 20 years

Maximum Estimated Cost: \$4,738,000.00

Maximum Amount of Bonds: \$4,738,000.00

Treasurer's Bond Authorization Numbers: V-10

Treasurer's Project Numbers: GH 33108023

Section 2. The plan of financing such objects or purposes is the issuance of \$4,738,000.00 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 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 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 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 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 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 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 of 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 March 1, 2010 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Sano introduced the following:

Ordinance Number 39.31.10

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$844,000.00 AND AUTHORIZING THE ISSUANCE OF \$844,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (NEW SCOTLAND TRAFFIC SIGNAL PROJECT)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign supports

Local Finance Law Section 11.00(a) Subparagraph 72

Period of Probable Usefulness: 20 years

Maximum Term of Obligations: 20 years

Maximum Estimated Cost: \$844,000.00

Maximum Amount of Bonds: \$844,000.00

Treasurer's Bond Authorization Numbers: W-10

Treasurer's Project Numbers: GH 33108024

Section 2. The plan of financing such objects or purposes is the issuance of \$844,000.00 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 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 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 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 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 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 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 of 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 March 1, 2010 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Konev introduced the following:

Ordinance Number 41.31.10

AN ORDINANCE AMENDING CHAPTER 54 (FINANCIAL DISCLOSURE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO GIFTS TO UNIFORMED EMPLOYEES

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

Section 1. Chapter 54 of the Code of the City of Albany is hereby entitled “Ethics” and the remainder is amended to read as follows:

**Part I
Financial Disclosure**

Section 54-1. Financial Disclosure.

This Part [chapter] shall be known as the "City of Albany Financial Disclosure Ordinance."

Section 2. Chapter 54 of the Code of the City of Albany is hereby amended by adding the following Part to read as follows:

**Part II
Gifts to Uniformed Employees**

§54-16. Supersession of General Municipal Law § 808; Legislative Intent.

A. To the extent that this article is inconsistent with the provisions of Section 808 of the General Municipal Law, this article shall supersede such provisions.

B. The intent of this Article is to supplement the legal requirements of the General Municipal Law and to replace any conflicting provisions to the extent authorized by the supersession set forth in Subsection A.

§54-17. Financial Benefits and Gifts.

A. Any City officer or employee who is required to wear a uniform as a condition of employment shall not accept, or directly or indirectly solicit, a financial benefit or gift over \$10 in value while performing their official duties or if the gift is intended to influence their official duties.

B. A gift shall mean a financial benefit that is given to a person without receipt or promise of any significant consideration or financial benefit in return and shall not include gifts from members of their immediate families.

C. A violation of this Section shall be punishable by a criminal penalty of up to \$1,000 dollars or 15 days imprisonment.

Section 3. This ordinance shall take effect immediately.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member Commisso introduced the following:

Ordinance Number 42.31.10

AN ORDINANCE AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 37 ENTITLED “CITY OF ALBANY COMMISSION ON PUBLIC-PRIVATE BUDGETARY COOPERATION” AND PROVIDING FOR THE RESPONSIBILITIES OF THE COMMISSION WITH RESPECT TO REVIEWING THE FISCAL IMPACT OF TAX-EXEMPT ENTITIES ON THE CITY’S TAX BASE AND THE CITY’S ABILITY TO CONTINUE FUNDING OF ESSENTIAL CITY SERVICES AND REQUIRING THE COMMISSION TO MAKE FINDINGS AND RECOMMENDATIONS TO THE MAYOR AND THE COMMON COUNCIL REGARDING FINANCIAL CONTRIBUTIONS TO BE MADE BY TAX-EXEMPT ENTITIES IN SUPPORT OF ESSENTIAL CITY SERVICES

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

Section 1. Chapter 42 of the Code of the City of Albany is hereby amended by adding thereto a new Part 37 to read as follows:

**PART 37
CITY OF ALBANY COMMISSION ON PUBLIC-PRIVATE BUDGETARY
COOPERATION
ARTICLE XLVIII. General Provisions.**

Section 42-368. Legislative Intent.

The City of Albany hosts numerous corporations and associations which own real property and which are organized or conducted exclusively for charitable, hospital or educational purposes and including state owned entities (hereinafter referred to as “exempt entities”) and which are exempted by law in whole or in part from paying real property taxes. The City values the contributions of these exempt entities which are an integral part of the social fabric of Albany, and help to establish Albany as a creative, dynamic and healthy community. The City of Albany has a commitment to ensuring its neighborhoods are safe, stable and thriving by making critical improvements and investments and providing reliable essential municipal services including, but not limited to, police protection, fire protection, EMS services, street and highway construction, maintenance and lighting, snow removal, sanitation (inclusive of trash collection, disposal and recycling), and water and sewer services. These exempt entities and taxpayers alike benefit in substantially equal manner from these essential services, yet these exempt entities do not contribute to the payment of costs for these services.

The staggering national economic downturn of a severity not seen since the Great Depression has resulted in substantial reductions in state aid to the city and an alarming and recurring reduction in historical levels of sales tax revenues which threaten to necessitate severe cut backs in vital municipal services. Incident to this national and state economic downturn the city has

experienced substantial cuts in the millions of dollars of state aid to municipalities support and will be faced with an additional reduction of seven million eight hundred and fifty thousand dollars in state aid in the year 2011 pursuant to section 19-a of the Public Lands law. The City's financial burden has been exacerbated by severely increasing pension contribution costs to the state's retirement systems for city employees including police and fire and by the ever increasing costs of health insurance payments for its employees which constitute fully ten per cent of the city budget. The city has just received from the state one final limited extension of the life cycle of its landfill which when it is required to close in the near future will dramatically add to the fiscal imbalance of future city budgets. Fully eighty-one per cent of the city's budget expenditures (after inclusion of debt service payments) is allocable to personal service and benefit costs for its employees, of which over 63 per cent of total personnel costs are chargeable for the support of the police and fire departments thereby making budgetary cuts to personnel extraordinarily painful and these realities severely restrict the flexibility of discretion in budget cutting options.

Due to the real property holdings of state government and the several other exempt entities fully fifty-three per cent of the assessed valuation of all real property in the city is tax-exempt thereby increasing the real property tax burden on home owners, renters and commercial property owners. When two of the three major revenue sources available to support city government, specifically, state aid and sales tax receipts are severely diminishing it would be imprudent and misguided to increase the real property tax burden on the major pillar of city revenue support, that is, residences and commercial property owners. It is with these severe budgetary constraints confronting the city that the Common Council has determined it to be sound public policy and advisable to establish the "City of Albany Commission on Public-Private Budgetary Cooperation" for the purpose of seeking assistance from the several exempt entities within the city to assist in addressing the budgetary concerns of the city.

Section 42-369. Establishment of Commission.

The Common Council hereby establishes the City of Albany Commission on Public-Private Budgetary Cooperation.

Section 42-370. Membership; Term; Vacancies.

A. The Commission shall consist of eleven members with six members to be appointed by the Common Council and five members to be appointed by the Mayor. Of the members appointed by the Common Council, at least two shall be representative of the interests of the types of exempt entities described in Section 42-368 and at least two shall be members of the Common Council. Of the members appointed by the Mayor, at least two shall be representative of the interests of the types of such exempt entities. Vacancies shall be filled in the same manner as the original appointment.

B. The appointing authorities shall strive to include appointees who are authorities in fiscal budgetary issues and who are knowledgeable of efforts by other municipalities to successfully engage exempt entities in their jurisdictions in making financial and other contributions in support of their jurisdiction's budget.

C. The Mayor and the Common Council shall jointly designate co-chairs of the Commission. In making such designation the appointing authorities shall coordinate their designations in order that at least one co-chair is representative of the interests of such exempt entities.

D. The Commission shall cease to exist six months following the submission of the final report to the Mayor and Common Council. Members shall serve without compensation.

Section 42-371. Powers and duties.

A. The Commission shall submit a preliminary report to the Common Council and the Mayor within one hundred twenty days after all appointments of members have been made by the appointing authorities. Such report shall detail the Commission's findings as outlined in this section. The Commission shall submit its final written report to the Common Council and the Mayor within one hundred twenty days of the date it submitted its preliminary report. Such final report shall be detailed in its scope and shall identify the work engaged in by the Commission in fulfillment of the charges imposed upon it pursuant to such section. The report shall further include its findings, determinations and recommendations, including but not limited to, any recommendations the Commission has determined necessary for the enactment or amendment of local or state law as may be necessary to accomplish any of its recommendations.

B. The report of the Commission shall provide findings with regard to the following topics:

1. The costs associated with providing certain essential City services to the exempt entities. The city essential services shall be for police protection, fire protection, EMS services, street and highway construction, maintenance and lighting, snow removal, sanitation (inclusive of trash collections, disposal and recycling), and water and sewer services. The Commission shall attempt to identify these costs by category of exempt entity based upon the total assessed value of real property owned by such entity which is wholly or partially tax exempt and the scope of use of such essential city services by such exempt entity;
2. Financial and programmatic contributions made by the exempt entities to municipalities in selected cities nationwide, including best practices in public-private partnerships in effect in such municipalities. The Commission shall identify whether these contributions are made to such municipalities pursuant to written voluntary contribution agreements, implementation of financing options authorized by federal tax provisions or pursuant to mandate imposed by state or local law;
3. Development of a standard methodology for valuing community partnership contributions made by the exempt entities;
4. Recommendation of a standard level of financial and programmatic contributions to be met by all large-scale exempt entities in Albany;
5. Identification of all necessary or advisable City and State legislation;

6. Consideration of how other state capital cities are reimbursed for exempt properties;
7. Review of any additional means to mitigate the impact of exempt entities on the City's tax base, and to establish a fair and equitable approach to generating revenue to support City services.

Section 42-372. Assistance to the Commission.

The Commission shall be entitled to request and be accorded the reasonable support services of the staff of the Corporation Counsel and the Assessor's Office and to the services of the Research Counsel to the Common Council. The Commission shall be authorized to seek the assistance of the Government Law Center of Albany Law School either on a pro bono basis or pursuant to a contract for reasonable compensation within the amount of any appropriation that may be made by the Common Council for such purposes.

Section 2. This ordinance shall take effect immediately.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Council Member introduced the following:

Ordinance Number 44.31.10

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 33 GLENN STREET, 124, 156 AND 158 FIRST STREET AND THE ABANDONED PORTION OF BINGHAM STREET ADJACENT TO 131 MCCARTY AVENUE IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO THE ADDICTIONS CARE CENTER 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 the properties known as 33 Glenn Street (Tax Map #76.18-3-9), 124 First Street (Tax Map# 76.18-3-8), 156 First Street (Tax Map# 76.18-3-7), 158 First Street (Tax Map# 76.18-3-6), and the abandoned portion of Bingham Street adjacent to 131 McCarty Avenue be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to The Addictions Care Center of Albany.

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

Section 2. It is hereby determined that the aforesaid properties have been abandoned 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.

**APPROVED AS TO FORM
February 19, 2010**

Corporation Counsel

Common Council Member

offered the following:

Resolution Number 25.31.10R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE APPOINTMENT OF KEVIN O'CONNER AS CHAIRMAN OF THE ALBANY PARKING AUTHORITY

RESOLVED, that in accordance with Section 1493-c of the Public Authorities Law of the State of New York, the Common Council hereby consents to the Mayor's appointment of Kevin O'Conner as Chairman of the Albany Parking Authority for a term expiring on January 2, 2015.

Common Council Member

offered the following:

Resolution Number 26.31.10R

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE
APPOINTMENT OF LESLIE SCOTT MORAN TO THE BOARD OF ZONING
APPEALS**

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter re-appointed Leslie Scott Moran as a member of the Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the appointment of Leslie Scott Moran to the Board of Zoning Appeals for a term of office to expire December 31, 2012.

Common Council Member

offered the following:

Resolution Number 27.31.10R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE APPOINTMENT OF CHARLES J. CRONIN, JR. TO THE BOARD OF ZONING APPEALS

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter re-appointed Charles J. Cronin, Jr. as a member of the Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the appointment of Charles J. Cronin, Jr. to the Board of Zoning Appeals for a term of office to expire December 31, 2012.