

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

Monday, November 2, 2009

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, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, and Smith.

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

Council Member Fox led the Pledge of Allegiance.

PUBLIC HEARING

Clerk to the Common Council John Marsolais read the notice of the public hearing on the proposed City of Albany budget for 2010. The following individuals spoke:

1. Tom Ellis, 43 N. Pine Ave., Albany, NY 12203
2. Dr. Leonard Morgenbesser, 219 Tampa Ave., Albany, NY 12208
3. Joyce Rambo, 189 Lancaster St., Albany, NY 12208
4. Sandy Levan, 128 Morton Ave., Albany, NY 12202
5. Joan Byalin, 865 Lancaster St., Albany, NY 12203

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

PUBLIC COMMENT PERIOD

1. Jesse Sample, 79 Rte 146A, Clifton Pk., NY 12065 (Entertainment Permits)
2. Tom Ellis, 43 N. Pine Ave., Albany, NY 12203 (SWMP)
3. Dr. Leonard Morgenbesser, 219 Tampa Ave. Albany, NY 12208 (Gun Violence & Budget)

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

APPROVAL OF MINUTES FROM PREVIOUS MEETING

DEFFERED

CONSIDERATION OF LOCAL LAWS

Council Member Ellis moved to amend Local Law B-2008 as follows, the amendments being adopted the local law was held for further consideration:

LOCAL LAW B-2008 (As Amended)

A LOCAL LAW AMENDING ARTICLE I (PATRONIZING HOME INDUSTRY) OF CHAPTER 62 (LABOR) OF THE CODE OF THE CITY OF ALBANY TO REQUIRE RESIDENCY FOR CERTAIN CITY EMPLOYEES

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

Section 1. Section 62-1 of Chapter 62 of the Code of the City of Albany is hereby amended to read as follows:

ARTICLE I [Patronizing Home Industry] Employee Residency Requirement.

§ 62-1. Employment; Albany citizens given preference.

All labor, skilled or unskilled, employed by or for the City of Albany, its various municipal boards, departments, officials or agents, shall be performed only by citizens of Albany; and to further observe the best interests of the taxpayers in disbursing public moneys and secure the best possible workmanship, mechanics affiliated with the trade organizations of their crafts shall be given preference in the performance of contracts whenever and wherever practicable. All department heads subject to confirmation by the Common Council hired after the effective date of the law, shall be residents of the city during such employment or become residents of the city within 180 days. Said department heads may petition the Common Council for a waiver of the residency requirement which may be granted by a majority vote of the Common Council. Those persons expressly exempted by the Public Officers Law of the State of New York are hereby exempt from the provision.

Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

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

REPORTS OF STANDING COMMITTEES

Planning, Economic Development and Land Use: Council Member Herring stated that the committee would be meeting on October 29, 2009 at 5:30pm to consider Ordinance Number 70.111.08 in relation to “Entertainment Permits” and Ordinance Number 68.102.09 in relation to demolition procedures.

Finance, Taxation and Assessment – Council Member Sano stated that the committee has concluded departmental hearings. He stated that the committee came back with 4 proposals and that he is waiting to hear from Council Members regarding suggestions on savings. He stated that the RFP that came back on recycling 3-7 plastics would cost the City of Albany \$150,000.

General Services, Health and Environment – Council Member O’Brien stated that he wanted to inform the Council that the SWP Steering Committee is holding a meeting on December 8, 2009 at 4pm at 200 Henry Johnson Boulevard.

Human Rights and Human Resources - Council Member Conti (Vice Chair) stated that the committee met on October 27, 2009 at 5:00pm to discuss Local Law B-2008 in relation to Employee residency requirements for the City of Albany, which was favorably recommended out of committee with amendments.

CONSIDERATION OF ORDINANCES

Council Member Sano moved for the withdrawal of Ordinance Number 64.101.08 (AN ORDINANCE AMENDING ORDINANCE 5.22.08 ENTITLED “AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$167,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$167,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF. (GARBAGE TRUCK)” WITH AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$124,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE

ISSUANCE OF \$124,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF. (STREET SWEEPER)

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

CONSIDERATION OF RESOLUTIONS

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

Resolution Number 83.111.09R

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO SALARY CHANGES APPROVED BY THE COLLECTIVE BARGAINING AGREEMENT WITH THE ALBANY POLICE OFFICERS UNION, LOCAL 2841, COUNCIL 82 FOR FISCAL YEARS 2008 AND 2009

WHEREAS, Section 603(D)(b) of the Charter of the City of Albany dictates that any salary changes that occur in the City of Albany outside of those described in the duly adopted budget must be consented to by the Common Council; and

WHEREAS, it is recognized that the City of Albany has entered into an agreement allowing for salary changes for members of the Albany Police Department for the fiscal years 2008 and 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to amending the 2008 and 2009 City budgets in order to effectuate the agreement between the City of Albany and the Albany Police Officers Union, Local 2841, Council 82 for fiscal years 2008 and 2009.

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative -- Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, and Smith

Affirmative 14 Negative 0 Abstain 0

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

Resolution Number 84.111.09R

RESOLUTION OF THE COMMON COUNCIL APPROVING THE TRANSFER OF \$6,316,165 TO VARIOUS ACCOUNTS IN ACCORDANCE WITH CITY CHARTER SECTION 603

WHEREAS, Albany City Charter Section 603 requires Common Council approval for budgetary transfers in excess of four percent of the budget; and

WHEREAS, the Comptroller has calculated year-to-date transfers to ensure that they do not exceed allowable transfers; and

WHEREAS, four percent of the 2008 budget totals \$6,473,093 and the final reconciliation of the 2008 requires \$6,356,395 in excess of transfers permitted pursuant to the Albany City Charter; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves, the transfer of the following funds from various Accounts:

FUND A - GENERAL FUND	ACCOUNT	DECREASE	INCREASE	
REVENUE	A0000.1120 Sales / Use Tax Revenue		(90,425)	
DEPARTMENT	ACCOUNT	INCREASE	DECREASE	TOTALS
Common Council	A1010.7150 Clerical		(696)	
Common Council	A1010.7120 Pro/Tech	696		
Common Council	A1010.7441 Print&Bind		(2,944)	
Common Council	A1010.7463 Train/Conf		(3,572)	
Common Council	A1010.7801 SS	837		
Common Council	A1010.7804 Health Ins	5,679		7,212
Mayor	A1210.7410 Supp&Mat.	322		
Mayor	A1210.7440 Contr. Ser		(322)	322
Comptroller	A1315.7110 Super	2		
Comptroller	A1315.7120 Pro/Tech		(234)	
Comptroller	A1315.7150 Clerical	232		234
Treasurer	A1325.7440 Contr. Ser		(549)	
Treasurer	A1325.7460 Misc.	549		
Treasurer	A1325.7470 Postage		(1,981)	
Treasurer	A1325.7801 SS		(2,017)	
Treasurer	A1325.7804 Health Ins	3,998		4,547
Purchasing	A1345.7110 Super	9,310		
Purchasing	A1345.7150 Clerical		(9,310)	9,310
Assessment	A1355.7100 Exec	5		
Assessment	A1355.7120 Pro/Tech	3		
DEPARTMENT	ACCOUNT	INCREASE	DECREASE	TOTALS
Assessment	A1355.7150 Clerical	4		
Assessment	A1355.7450 Fees and Services		(12)	
Assessment	A1355.7801 SS	18		
Assessment	A1355.7804 Health Ins		(18)	30
City Clerk	A1410.7100 Exec	1		
City Clerk	A1410.7110 Super		(4)	
City Clerk	A1410.7120 Pro/Tech	2		
City Clerk	A1410.7150 Clerical	2		
City Clerk	A1410.7410 Supp&Mat.	61		
City Clerk	A1410.7440 Contr. Ser	1,607		
City Clerk	A 1410 7804 Hospital & Medical Ins		(1,669)	1,673
Law	A1420.7100 Exec	1		
Law	A1420.7120 Pro/Tech		(1)	1
Civil Service	A 1430.16. 7801 SS		(4,875)	
Civil Service	A 1430.16. 7804 Health Ins	4,875		4,875
Engineering	A1440.7120 Pro/Tech		(18,675)	
Engineering	A1440.7170 Temp/Help	18,641		
Engineering	A1440.7199 Overtime	34		18,675
DGS	A1490.7100 Exec		(13,946)	
DGS	A1490.7120 Pro/Tech		(17,706)	
DGS	A1490.7150 Clerical		(17,042)	
DGS	A1490.7199 Overtime	1,862		
DGS	A1490.7412 Uniforms		(718)	
DGS	A1490.7420 Utilities	20,626		
DGS	A1490.7801 SS		(3,687)	
DGS	A1490.7804 Health Ins		(41,702)	
DGS	A1490.36.7110 Supervisory Salary		(10,465)	

DGS	A1490.36.7130	PubSaf/Op		(46,108)	
DGS	A1490.36.7140	Trades		(8,576)	
DGS	A1490.36.7160	SummerHelp	48,801		
DGS	A1490.36.7199	Overtime	93,634		
DGS	A1490.36.7250	Other Equip	1,771		
DGS	A1490.36.7258	Replace Eq		(21,754)	
DGS	A1490.36.7410	Supp&Mat.		(8,419)	
DGS	A1490.36.7411	Fuel Oil		(1,559)	
DGS	A1490.36.7801	SS	4,483		
DGS	A1490.36.7804	Health Ins		(24,240)	
DGS	A1490.38.7110	Supervisory Salary		(3,042)	
DGS	A1490.38.7130	PubSaf/Op		(1,759)	
DGS	A1490.38.7140	Trades		(770)	
DGS	A1490.38.7170	Temp/Help	14,620		
DGS	A1490.38.7199	Overtime	21,206		
DGS	A1490.38.7258	Replacement Equipment	4,197		
DGS	A1490.38.7411	Fuel Oil		(975)	
DGS	A1490.38.7420	Utilities	10,913		
DGS	A1490.38.7450	Fees&Serv	118		
DEPARTMENT	ACCOUNT		INCREASE	DECREASE	TOTALS
DGS	A1490.38.7801	SS	237		222,468
Central Maintenance	A1620.7110	Super	710		
Central Maintenance	A1620.7130	PubSaf/Op	2,931		
Central Maintenance	A1620.7140	Trades		(57,517)	
Central Maintenance	A1620.7199	Overtime	79,165		
Central Maintenance	A1620.7410	Supp&Mat.		(30,112)	
Central Maintenance	A1620.7420	Utilities	8,171		
Central Maintenance	A1620.7421	Tel Commun	3,904		
Central Maintenance	A1620.7440	Contr. Ser		(7,252)	
Central Maintenance	A1620.7801	SS	956		
Central Maintenance	A1620.7804	Health Ins		(956)	95,837
Central Garage	A1640.7110	Super	2		
Central Garage	A1640.7130	PubSaf/Op		(23,344)	
Central Garage	A1640.7199	Overtime	23,342		
Central Garage	A1640.7429	MotorVehEx		(1,133)	
Central Garage	A1640.7801	SS		(3,383)	
Central Garage	A1640.7804	Health Ins	4,516		27,860
Central Data Processing	A1680.7120	Pro/Tech		(2)	
Central Data Processing	A1680.7150	Clerical	2		
Central Data Processing	A1680.7221	Auto Equip	2,531		
Central Data Processing	A1680.7250	Other Equip		(2,531)	2,533
Special Items	A1900.7432	Judt/Claim		(79,300)	
Special Items	A1900.7433	Tax/Assess	79,300		
Special Items	A1900.7448	Contingent		(1,290,608)	79,300
Communications	A3020.7130	PubSaf/Op	126,151		
Communications	A3020.7150	Clerical	283		
Communications	A3020.7190	Holiday Py		(738)	
Communications	A3020.7192	Longevity		(2,552)	
Communications	A3020.7193	Line-up	15,800		
Communications	A3020.7195	Step Incr		(3,000)	
Communications	A3020.7199	Overtime	18,664		
Communications	A3020.7210	Furn/Fix		(4)	
Communications	A3020.7250	Other Equip		(2,630)	

Communications	A3020.7410	Supp&Mat.		(3,965)	
Communications	A3020.7421	Tel Commun	24,957		
Communications	A3020.7440	Contr. Ser		(4,792)	
Communications	A3020.7445	NYSPIN		(15,000)	
Communications	A3020.7801	SS	7,018		
Communications	A3020.7804	Health Ins		(10,143)	192,873
Police	A3120.7100	Exec		(32,810)	
Police	A3120.7110	Super	4,874		
Police	A3120.7120	Pro/Tech		(155,138)	
Police	A3120.7130	PubSaf/Op	1,992,948		
Police	A3120.7150	Clerical		(267,091)	
Police	A3120.7190	Holiday Py		(89,134)	
Police	A3120.7192	Longevity		(84,292)	
Police	A3120.7193	Line-up	205,270		
DEPARTMENT	ACCOUNT		INCREASE	DECREASE	TOTALS
Police	A3120.7194	Police Exp		(10,512)	
Police	A3120.7195	Step Incr		(40,000)	
Police	A3120.7198	O/T Reimb	725,641		
Police	A3120.7199	Overtime	178,807		
Police	A3120.7210	Furn/Fix		(2,383)	
Police	A3120.7220	Offic Eqpm		(28,721)	
Police	A3120.7250	Other Equip		(52,098)	
Police	A3120.7251	Armor Vest	8,695		
Police	A3120.7410	Supp&Mat.		(50,855)	
Police	A3120.7420	Utilities		(50,923)	
Police	A3120.7430	Insurance	41,228		
Police	A3120.7440	Contr. Ser		(166,023)	
Police	A3120.7450	Fees&Serv		(34,981)	
Police	A3120.7462	Criminal		(4,798)	
Police	A3120.7463	Train/Conf		(2,271)	
Police	A3120.7464	APD Reward		(15,000)	
Police	A3120.7801	SS	140,868		
Police	A3120.7802	Retirement		(348,151)	
Police	A3120.7803	Compensation	165,030		
Police	A3120.7804	Health Ins		(479,736)	
Police	A3120.7807	Comp-CityP		(1,231)	
Police	A3120.7813	Comp-Medcl	195,836		
Police	A3120.33.7199	Overtime		(1,000)	
Police	A3120.33.7250	Other Equipment		(6,511)	
Police	A3120.33.7410	Supp&Mat.		(914)	
Police	A3120.44.7250	Other Equipment		(538)	
Police	A3120.45.7250	Fees&Serv		(25,171)	
Police	A3120.45.7440	Contr Ser		(2,812)	
Police	A3120.46.7250	Other Equip		(975)	
Police	A3120.46.7410	Supp & Mat		(315)	
Police	A3120.46.7440	Contr Ser		(1,700)	
Police	A3120.46.7461	Travel		(2,002)	
Police	A3120.47.7250	Other Equipment		(324,667)	
Police	A3120.47.7440	Contr Ser		(82,737)	
Police	A3120.49.7461	Travel	1		
Police	A3120.49.7841	WORKCOMP		(2,902)	
Police	A3120.49.7802	Retirement		(17,990)	
Police	A3120.49.7801	SS		(9,175)	

Police	A3120.49.7250	Other Equipment		(1,339)	
Police	A3120.49.7198	O/T Reimb		(119,066)	
Police	A3121.7440	Contr. Ser		(10,000)	3,659,198
Traffic	A3310.7110	Super		(10,750)	
Traffic	A3310.7199	Overtime	10,749		
Traffic	A3310.7410	Supp&Mat.		(4,083)	
Traffic	A3310.7440	Contr. Ser	39,803		
Traffic	A3310.7479	Road Tape		(44)	
DEPARTMENT	ACCOUNT		INCREASE	DECREASE	TOTALS
Traffic	A3310.7801	SS		(1,012)	
Traffic	A3310.7804	Health Ins		(5,759)	50,552
Fire / Building Services	A3410.7100	Exec		(121,803)	
Fire / Building Services	A3410.7110	Super		(230,485)	
Fire / Building Services	A3410.7130	PubSaf/Op		(204,616)	
Fire / Building Services	A3410.7150	Clerical	9		
Fire / Building Services	A3410.7189	EMT Stipen		(14,000)	
Fire / Building Services	A3410.7190	Holiday Py	42,366		
Fire / Building Services	A3410.7191	Code/Stip		(25,373)	
Fire / Building Services	A3410.7192	Longevity		(23,221)	
Fire / Building Services	A3410.7193	Line-up		(6,650)	
Fire / Building Services	A3410.7195	Step Incr		(55,000)	
Fire / Building Services	A3410.7196	Kelly Day	8,413		
Fire / Building Services	A3410.7197	Accum Sick	71,863		
Fire / Building Services	A3410.7199	Overtime	800,533		
Fire / Building Services	A3410.7250	Other Equip		(39,649)	
Fire / Building Services	A3410.7410	Supp&Mat.		(7,211)	
Fire / Building Services	A3410.7412	Uniforms		(14,071)	
Fire / Building Services	A3410.7414	Off Supp/F		(623)	
Fire / Building Services	A3410.7415	Parts/Supp		(2,251)	
Fire / Building Services	A3410.7420	Utilities	26,742		
Fire / Building Services	A3410.7430	Insurance	19,755		
Fire / Building Services	A3410.7440	Contr. Ser		(31,544)	
Fire / Building Services	A3410.7442	Training		(523)	
Fire / Building Services	A3410.7450	Fees&Serv		(11,457)	
Fire / Building Services	A3410.7460	Misc.		(2,559)	
Fire / Building Services	A3410.7465	EMS Expens		(7,755)	
Fire / Building Services	A3410.7801	SS	376		
Fire / Building Services	A3410.7802	Retirement	71,103		
Fire / Building Services	A3410.7803	Compensatn	18,975		
Fire / Building Services	A3410.7804	Health Ins		(269,686)	
Fire / Building Services	A3410.7805	Disab Retr	8,342		1,068,477
Control of Animals	A3510.7130	PubSaf/Op		(1,037)	
Control of Animals	A3510.7199	Overtime	1,036		
Control of Animals	A3510.7450	Fees		(1,976)	
Control of Animals	A3510.7801	SS		(1,019)	
Control of Animals	A3510.7804	Health Insurance	2,996		4,032
Division of Buildings	A3620.7100	Exec	1		
Division of Buildings	A3620.7120	Pro/Tech		(5,536)	
Division of Buildings	A3620.7150	Clerical		(17,036)	
Division of Buildings	A3620.7199	Overtime	17,036		
Division of Buildings	A3620.7410	Supp&Mat.		(3)	
Division of Buildings	A3620.7412	Uniforms		(460)	
Division of Buildings	A3620.7440	Contr. Ser	6,323		

Division of Buildings	A3620.7442	Training		(4)	
Division of Buildings	A3620.7450	Fees&Serv		(300)	
DEPARTMENT	ACCOUNT		INCREASE	DECREASE	TOTALS
Division of Buildings	A3620.7460	Misc.		(21)	23,360
Vital Statistics	A4020.7100	Exec	1		
Vital Statistics	A4020.7150	Clerical	9		
Vital Statistics	A4020.7801	SS		(10)	10
Maintenance of Streets	A5010.7110	Supervisory	3		
Maintenance of Streets	A5010.7199	Overtime		(14,924)	
Maintenance of Streets	A5010.7410	Supp&Mat.		(6,031)	
Maintenance of Streets	A5010.7440	Contr. Ser		(13,870)	
Maintenance of Streets	A5010.7801	SS		(10,654)	
Maintenance of Streets	A5010.7804	Health Ins	44,201		
Maintenance of Streets	A5010.7807	Comp-CityP	1,275		45,479
Housing and Community Dev	A6410.7100	Exec Salary	1,000		
Housing and Community Dev	A.6410.7110	Supervisory Salary		(1,001)	
Housing and Community Dev	A6410.7140	Trades	1		
Housing and Community Dev	A6410.7801	SS		(2,180)	
Housing and Community Dev	A6410.7803	Compensation	195		
Housing and Community Dev	A6410.7813	Comp - Medcl	1,985		3,181
Development and Planning	A6420.7100	Executive Salary	1,152		
Development and Planning	A6420.7120	Pro/Tech Salary		(3,420)	
Development and Planning	A6420.7802	Retirement	1,988		
Development and Planning	A6420.7804	Health Ins	123		
Development and Planning	A6420.7862	Medi/refund	157		3,420
Dept of Recreation	A7110.7100	Exec		(491)	
Dept of Recreation	A7110.7110	Super		(258)	
Dept of Recreation	A7110.7130	PubSaf/Op	647		
Dept of Recreation	A7110.7150	Clerical		(19,628)	
Dept of Recreation	A7110.7160	SummerHelp		(5,573)	
Dept of Recreation	A7110.7199	Overtime	2,637		
Dept of Recreation	A7110.7258	Replace Eq		(18,484)	
Dept of Recreation	A7110.7410	Supp&Mat.		(1,916)	
Dept of Recreation	A7110.7412	Uniforms		(1,239)	
Dept of Recreation	A7110.7440	Contr. Ser		(24,750)	
Dept of Recreation	A7110.7801	SS		(1,668)	
Dept of Recreation	A7110.7804	Health Ins		(13,541)	
Dept of Recreation	A7110.03.7160	Summer help	136,676		
Dept of Recreation	A7110.03.7410	Supp&Mat.		(724)	
Dept of Recreation	A7110.03.7440	Contr. Ser	524		
Dept of Recreation	A7110.03.7801	SS	10,454		
Dept of Recreation	A7110.03.7804	Health Ins	6,177		157,115
Playgrounds	A7140.7160	SummerHelp	115		
Playgrounds	A7140.7170	Temp/Help		(115)	
Playgrounds	A7140.04.7130	PubSaf/Op		(23,570)	
Playgrounds	A7140.04.7804	Health Ins	23,570		23,685
Swinburne	A7180.7170	Temp/Help		(11,733)	
Swinburne	A7180.7250	Other Equip	96		
Swinburne	A7180.7410	Supp&Mat.		(4,714)	
DEPARTMENT	ACCOUNT		INCREASE	DECREASE	TOTALS
Swinburne	A7180.7420	Utilities	4,391		
Swinburne	A7180.7801	SS		(1,059)	
Swinburne	A7180.7804	Health Ins	5,499		

Swinburne	A7180.07.7170 Temporary Help		(7,789)	
Swinburne	A7180.07.7410 Supp&Mat		(3,427)	
Swinburne	A7180.07.7420 Utilities		(529)	
Swinburne	A7180.10.7199 Overtime	2,164		
Swinburne	A7180.10.7410 Supp&Mat		(1,071)	
Swinburne	A7180.10.7420 Utilities	3,172		
Swinburne	A7180.10.7804 Health Ins	3,646		
Swinburne	A7180.42.7110 Supervisory	82		
Swinburne	A7180.42.7170 Temporary Help	6,566		
Swinburne	A7180.42.7199 Overtime	2,456		
Swinburne	A7180.42.7420 Utilities	2,084		
Swinburne	A7180.42.7801 SS	166		30,322
Special Events	A7560.7120 Pro/Tech	240		
Special Events	A7560.7150 Clerical		(232)	
Special Events	A7560.7199 Overtime	4,993		
Special Events	A7560.7440 Contr. Ser		(5,002)	
Special Events	A7560.7801 SS	492		
Special Events	A7560.7804 Health Ins		(491)	5,725
Division of Playgrounds	A8020.7150 Clerical	1		
Division of Playgrounds	A8020.7410 Supp&Mat.	1,219		
Division of Playgrounds	A8020.7440 Contr. Ser		(3,973)	
Division of Playgrounds	A8020.7801 SS		(4,021)	
Division of Playgrounds	A8020.7804 Health Ins	6,775		7,995
EEO/ Human Rights	A8040.7120 Pro/Tech Salary	1		
EEO/ Human Rights	A8040.7410 Supp&Mat		(1)	1
Waste	A8160.7130 PubSaf/Op		(211,223)	
Waste	A8160.7199 Overtime	156,746		
Waste	A8160.7440 Contr. Ser	238		
Waste	A8160.14.7130 PubSaf/Op		(35,964)	
Waste	A8160.14.7150 Clerical		(1,263)	
Waste	A8160.14.7170 Temp/Help	13,710		
Waste	A8160.14.7199 Overtime	77,996		
Waste	A8160.14.7413 Gasoline		(32,297)	
Waste	A8160.14.7420 Utilities	32,297		
Waste	A8160.14.7440 Contr. Ser		(28,521)	
Waste	A8160.14.7477 PostClose	28,281		
Waste	A8160.14.7801 SS	2,440		
Waste	A8160.14.7804 Health Ins		(2,440)	311,708
Street	A8170.7110 Super	1		
Street	A8170.7130 PubSaf/Op		(42,226)	
Street	A8170.7199 Overtime	42,225		42,226
Undistributed Employee Benefits	A9000.7810 NYS/ERS		(95,670)	
DEPARTMENT	ACCOUNT	INCREASE	DECREASE	TOTALS
Undistributed Employee Benefits	A9000.7841 WORKCOMP	197,930		
Undistributed Employee Benefits	A9000.7842 COMP/MEDCL	13,471		
Undistributed Employee Benefits	A9000.7843 WCB			
Undistributed Employee Benefits	A9000.7844 WK/CMP/ADM		(115,731)	
Undistributed Employee	A9000.7862 MEDI/REFND		(834)	

Benefits				
Undistributed Employee Benefits	A9000.7863	CDTA Pass	834	212,235
GD - Human Resourc	GD6290.7120	Pro/Tech	3	
GD - Human Resourc	GD6290.7410	Supp&Mat.		(1,177)
GD - Human Resourc	GD6290.7801	SS	1,174	
GD - Human Resourc	GD6291.7120	Pro/Tech		(3)
GD - Human Resourc	GD6291.7150	Clerical	3	
GD - Human Resourc	GD6291.7802	Retirement	11,783	
GD - Human Resourc	GD6291.7804	Health Ins		(11,783)
GD - Human Resourc	GD6294.7120	Pro/Tech	13,776	
GD - Human Resourc	GD6294.7170	Temp/Help	9,340	
GD - Human Resourc	GD6294.7199	Overtime		(8,121)
GD - Human Resourc	GD6294.7210	Furn/Fix		(1,000)
GD - Human Resourc	GD6294.7220	Offic Eqpm	1,211	
GD - Human Resourc	GD6294.7440	Contr. Ser		(16,473)
GD - Human Resourc	GD6294.7801	SS	2,634	
GD - Human Resourc	GD6294.7804	Health Ins		(1,367)
	Total		6,356,395	(6,356,395)
	Percentage of budget. S/b <4%			
	Original Budget			
	General Fund		161,827,327	
	GD fund		3,029,000	
			164,856,327	
	cap 4%		6,473,093	
	YTD budget ammendments during the year		3,671,677	
	up to 4% limit of year end ammendments		2,801,416	
	Amendment amount over 4% of original budget.		6,343,517	

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative -- Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, and Smith

Affirmative 14 Negative 0 Abstain 0

Council Members Fahey, McLaughlin and Smith offered the following, asked for passage and a roll call vote:

Resolution Number 85.111.09R

RESOLUTION OF THE COMMON COUNCIL CALLING FOR SENATOR HIRAM MONSERRATE'S RESIGNATION AND/OR EXPULSION DUE TO HIS CONVICTION ON ASSAULT CHARGES AND LACK OF SUITABILITY TO SERVE IN THE NYS SENATE

WHEREAS, proven incidents of domestic violence by elected officials must not be tolerated; and

WHEREAS, NYS Senator Hiram Monserrate was arrested for allegedly slashing his girlfriend's face with a broken glass on December 19, 2008; and

WHEREAS, on March 23, 2009, a Queens grand jury indicted Senator Hiram Monserrate on three counts of felony assault and three counts of misdemeanor assault; and

WHEREAS, on October 15, 2009, Senator Monserrate was convicted of a misdemeanor 3rd degree assault charge for causing physical injury to his girlfriend when dragging her down the hallway and out the door of their apartment building; and

WHEREAS, according to the National Coalition Against Domestic Violence, one in every four women will experience domestic violence in her lifetime. An estimated 1.3 million women are victims of physical assault by an intimate partner each year; and

WHEREAS, in that same study, the majority (73%) of family violence victims are female. Females are 84% of spousal abuse victims and 86% of abuse victims at the hands of a boyfriend; and

WHEREAS, according to F.B.I. homicide statistics, about one third of all female murder victims are killed by an intimate and about 3% of male victims are killed by an intimate, and

WHEREAS, it is common for the victim to deny abuse for several reasons, one of which is fear of retribution; and

WHEREAS, the impact of domestic violence on victims is both immediate and long term, with negative effects on their physical, emotional and psychological health and well being; and

WHEREAS, incidents of domestic violence impact not only the victim, but the victim's family and community, by creating an atmosphere in which people feel threatened and unsafe; and

WHEREAS, according to a 2003 report by the Center for Disease Control and Prevention, the cost of incidents of domestic violence is over \$5.8 billion a year nationally in health care and loss of productivity; and

WHEREAS, NYS elected officials take an oath of office requiring them to uphold the United States Constitution and NYS Constitution and laws therein; and

WHEREAS, elected officials are de facto role models for appropriate public discourse and behavior; and

WHEREAS, Senator Hiram Monserrate has violated his oath of office by breaking the law and assaulting another individual; and

WHEREAS, Senator Hiram Monserrate is a poor role model for the citizens of New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council calls on Senator Hiram Monserrate to resign from office immediately, and upon failure to do so, urges members of the NYS Senate to expel him from office.

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to our legislative representatives in the NYS Senate including Senator Neil Breslin, Senator Eric Schneiderman, Senate Majority Leader Pedro Espada Jr., Senate Temporary President Malcolm Smith and Senate Minority Leader Dean Skelos.

**Note: There was discussion from Council Member Fahey giving an overview of what Senator Monserrate was accused of committing, which was domestic violence against his wife. She discussed that sometimes victims of domestic violence are afraid to admit that they are being abused because of fears of retribution to family and friends. She discussed the importance of making a statement that the Senator should resign or be expelled.*

Passed by the following vote of all the Council Members elected voting in favor thereof:

Affirmative -- Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, McLaughlin, O'Brien, Rosenzweig, Sano, Scalzo, and Smith

Affirmative 14 Negative 0 Abstain 0

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

MISCELLANEOUS AND UNFINISHED BUSINESS

Council Member McLaughlin offered the following, which was approved by unanimous voice vote:

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2010, AND WAIVE THE READING OF THE NAMES:

Fey, John, 103 Rosemont St, Albany, NY 12203
Fiddemon, Calvin (Rev.), 220 Livingston Avenue, Albany, NY 12210
Mason, Patrick, 7 Barclay St, Albany, NY 12209
Ramdath, Ravi, 41 Woodlake Road, Apt 1, Albany, NY 12203

Council Member McLaughlin offered the following, which failed by voice vote:

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2010, AND WAIVE THE READING OF THE NAMES:

Scavo, Brian, 7 Barclay Street, Albany, NY 12209

Affirmative 3 Negative 6 Abstain 0 Present 5

Council Member O'Brien stating that in response to comments made during public comment period that the composting of food waste would eventually become a requirement of NYS indicated that he believes Kingston, NY and Ontario, Canada have good food waste composting programs.

Council Member Sano stated that the Finance Committee had been looking at video cameras at intersections that have the capacity to detect and capture a photo of a driver if they were to run a red light and it was determined that the current video cameras do not have the capability.

Council Member Calsolaro stated that he apologized for arriving late to the meeting tonight but had just come from a Mansion Neighborhood Association meeting regarding the recent violence in the neighborhood. He stated that we need to do what can be done to stem the violence around the city.

Council Member Fahey stated that she had given Council Members a booklet on Domestic Violence and an article on the Senator Monserrate incident.

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 November 2nd, 2009.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL