

ORDINANCES INTRODUCED

30.81.12 AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT EASEMENT TO 450 NORTH PEARL STREET OVER, UPON AND UNDER A PORTION OF THE CITY RIGHT-OF-WAY OF NORTH PEARL STREET IN THE CITY OF ALBANY

31.81.12 AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 229, 231, 241, 251, 253, 257 AND 259 SOUTH ALLEN STREET, 70, 68, 66, 64, 62, 60, 44, 42, 40 AND 38 ONDERDONK AVENUE AND THE PORTION OF DALE PLACE ADJACENT TO 261 SOUTH ALLEN STREET AND 70 ONDERDONK AVENUE IN THE CITY OF ALBANY IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO JAMES J. AND MARY E. GOOGAS

RESOLUTIONS INTRODUCED

- 50.81.12R RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH PALACE PERFORMING ARTS CENTER, INC.**
- 51.81.12R RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE CONVEYANCE OF A PORTION OF THE IDA YARBOROUGH PUBLIC HOUSING PROJECT BY THE ALBANY HOUSING AUTHORITY TO LUMBER STREET APARTMENTS HOUSING DEVELOPMENT FUND CORP. AS NOMINEE FOR IDA YARBROUGH PHASE I LLC**
- 52.81.12R A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE ALBANY HOUSING AUTHORITY AND PUBLIC EMPLOYEES FEDERATION, AFL-CIO, DIVISION 503**
- 53.81.12R RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH ALBANY TILE SUPPLY CO., INC. FOR THE USE AND OCCUPANCY OF A PORTION OF THE CITY RIGHT-OF-WAY ADJACENT TO 452 NORTH PEARL STREET**

Council Member Smith introduced the following:

Ordinance Number 30.81.12

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT EASEMENT TO 450 NORTH PEARL STREET OVER, UPON AND UNDER A PORTION OF THE CITY RIGHT-OF-WAY OF NORTH PEARL STREET IN THE CITY OF ALBANY

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

Section 1. It is hereby authorized that the City of Albany grant a permanent easement to the owner of 450 North Pearl Street over, upon and under a portion of the City right-of-way of North Pearl Street, adjacent to 450 North Pearl Street (Tax Map #65.12-4-29), in the City of Albany.

Section 2. The form, content, terms and conditions of such easements shall be approved by the Corporation Counsel.

Section 3. The Grantees shall not hinder, interfere with, prevent, delay, obstruct or adversely affect the Grantor in the reasonable exercise of its governmental operations or function.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM
July 27, 2012**

Corporation Counsel

To: Nala R. Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: July 27, 2012

ORDINANCE NUMBER 30.81.12

TITLE

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF PERMANENT EASEMENTS TO 450 NORTH PEARL STREET OVER, UPON AND UNDER A PORTION OF THE CITY RIGHT-OF-WAY OF NORTH PEARL STREET IN THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

The owner is requesting permission to install an ADA compliant handicap ramp. The sidewalk in front of the building is 15 feet wide. The ramp will require 5 feet leaving 10 feet for pedestrians.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Easements over municipal property require legislative authorization.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A

Council Member Sano introduced the following:

Ordinance Number 31.81.12

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 229, 231, 241, 251, 253, 257 AND 259 SOUTH ALLEN STREET, 70, 68, 66, 64, 62, 60, 44, 42, 40 AND 38 ONDERDONK AVENUE AND THE PORTION OF DALE PLACE ADJACENT TO 261 SOUTH ALLEN STREET AND 70 ONDERDONK AVENUE IN THE CITY OF ALBANY IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO JAMES J. AND MARY E. GOOGAS

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 229 South Allen Street (Tax Map #64.74-4-19), 231 South Allen Street (Tax Map #64.74-4-20), 241 South Allen Street (Tax Map #64.74-4-21), 251 South Allen Street (Tax Map #64.74-4-22), 253 South Allen Street (Tax Map #64.74-4-23), 257 South Allen Street (Tax Map #64.74-4-24), 259 South Allen Street (Tax Map #64.74-4-25), 70 Onderdonk Avenue (Tax Map #64.74-4-28), 68 Onderdonk Avenue (Tax Map #64.74-4-29), 66 Onderdonk Avenue (Tax Map #64.74-4-30), 64 Onderdonk Avenue (Tax Map #64.74-4-31), 62 Onderdonk Avenue (Tax Map #64.74-4-32), 60 Onderdonk Avenue (Tax Map #64.74-4-33), 44 Onderdonk Avenue (Tax Map #64.74-4-34), 42 Onderdonk Avenue (Tax Map #64.74-4-35), 40 Onderdonk Avenue (Tax Map #64.74-4-36), 38 Onderdonk Avenue (Tax Map #64.74-4-37) and the portion of the right-of-way known as Dale Place, measuring approximately thirty (30) feet in width by approximately one hundred ninety eight (198) feet in length, adjacent to 261 South Allen Street and 70 Onderdonk Avenue, be sold at private sale pursuant to the provisions of Local Law No. 4 for 1984 to James J. and Mary E. Googas.

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
July 27, 2012

Corporation Counsel

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: July 27, 2012

ORDINANCE NUMBER 31.81.12

TITLE

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO 229, 231, 241, 251, 253, 257 AND 259 SOUTH ALLEN STREET, 70, 68, 66, 64, 62, 60, 44, 42, 40 AND 38 ONDERDONK AVENUE AND THE PORTION OF DALE PLACE ADJACENT TO 261 SOUTH ALLEN STREET AND 70 ONDERDONK AVENUE IN THE CITY OF ALBANY IN THE CITY OF ALBANY, NEW YORK AT PRIVATE SALE TO JAMES J. AND MARY E. GOOGAS

GENERAL PURPOSE OF LEGISLATION

TO AUTHORIZE THE CONVEYANCE OF THESE 17 PROPERTIES AND A PORTION OF A PAPER STREET TO JAMES AND MARY GOOGAS FOR A PROPOSED CONSOLIDATION OF THE PROPERTIES INTO A SINGLE PARCEL THAT WOULD THEN BE REZONED AND BUILT UPON. THE PROPOSED BUILDING PROJECT WOULD REQUIRE THAT APPLICANT REQUEST THAT THE COUNCIL REZONE THE PROPERTY ACCORDINGLY.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

CONVEYANCE OF MUNICIPAL PROPERTY REQUIRES LEGISLATIVE AUTHORIZATION.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

YET TO BE DETERMINED.

Council Member Bailey introduced the following:

Resolution Number 50.81.12R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH PALACE PERFORMING ARTS CENTER, INC.

RESOLVED, that the Mayor be and he is hereby authorized and empowered to enter into a lease agreement with Palace Performing Arts Center, Inc. for the use of City-owned property located at the corner of Clinton Avenue and North Pearl Street in the City of Albany to be used solely and exclusively as a theater, and activities related thereto, in a form and upon such terms and conditions as are approved by the Corporation Counsel together with such other forms, documents and agreements necessary to amend, supplement, renew and otherwise effectuate the same.

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 23, 2012

RESOLUTION NUMBER 50.81.12R

TITLE

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT WITH PALACE PERFORMING ARTS CENTER, INC.

GENERAL PURPOSE OF LEGISLATION

The City wishes to enter into a lease with the Palace Theatre in order for them to continue to operate
in downtown Albany.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Council authorization of leases for City property is required.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A

Council Member Smith introduced the following:

Resolution Number 51.81.12R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE CONVEYANCE OF A PORTION OF THE IDA YARBOROUGH PUBLIC HOUSING PROJECT BY THE ALBANY HOUSING AUTHORITY TO LUMBER STREET APARTMENTS HOUSING DEVELOPMENT FUND CORP. AS NOMINEE FOR IDA YARBROUGH PHASE I LLC

WHEREAS, the Albany Housing Authority (the “Authority”) is the owner of certain real property and improvements commonly known as the Ida Yarbrough public housing project, located at or near 252 North Pearl Street, in the City of Albany, County of Albany, New York, which consists of one hundred twenty-nine (129) residential rental units situated in twelve (12) buildings (the “Project”); and

WHEREAS, the physical condition of the Project has become dilapidated and deteriorated over time, yet the Authority does not have sufficient resources available to remedy such dilapidation and deterioration; and

WHEREAS, the Authority desires to redevelop and rehabilitate the Project in phases in order to provide the current residents and others with improved, safe, decent and affordable housing; and

WHEREAS, the first phase of the redevelopment plan for the Project (“Phase I”) consists of the demolition of six (6) existing buildings containing seventy-six (76) units and the new construction of forty-three (43) units in ten (10) buildings on an approximately 3.43 acre site commonly known as Tax Map Section 65.19, Block 1, Lot 1 (the “Phase I Parcel”); and

WHEREAS, the infusion of private enterprise and private capital are essential components to such redevelopment and to the continued success and long-term viability of the Project; and

WHEREAS, the Authority has indicated that the transfer of the Phase I Parcel by the Authority to Lumber Street Apartments Housing Development Fund Corp., as nominee for Ida Yarbrough Phase I LLC, or any similar entity designated by the Authority, is necessary in order for Phase I to obtain the benefits of Federal low-income housing tax credits and to otherwise accomplish the redevelopment of Phase I; and

WHEREAS, in accordance with the terms and provisions of Section 58-b of the Public Housing Law of New York State, a sale or lease by a housing authority of all or a portion of a project in order to obtain the benefits of any Federal program of assistance for low income housing is subject to the approval of the Commissioner of New York State Division of Housing and Community Renewal and the local legislative body.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Albany, that the sale or lease of the Phase I Parcel by the Authority to Lumber Street Apartments Housing Development Fund Corp., as nominee for Ida Yarbrough Phase I LLC, or any similar entity designated by the Authority, is hereby authorized and approved, which sale or lease shall be upon such terms and conditions as the Authority may deem appropriate.

BE IT FURTHER RESOLVED, that in connection with such conveyance, the Mayor of the City of Albany is hereby authorized and directed to take any and all actions and execute any and all documents or instruments that may be necessary or desirable to carry out the intent of the this resolution.

RESOLVED, that this resolution shall take effect immediately.

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 24, 2012

RESOLUTION NUMBER 51.81.12R

TITLE

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE CONVEYANCE OF A PORTION OF THE IDA YARBOROUGH PUBLIC HOUSING PROJECT BY THE ALBANY HOUSING AUTHORITY TO LUMBER STREET APARTMENTS HOUSING DEVELOPMENT FUND CORP. AS NOMINEE FOR IDA YARBROUGH PHASE I LLC

GENERAL PURPOSE OF LEGISLATION

The Albany Housing Authority wishes to redevelop a portion of Ida Yarbrough through one of its development corporations and continue with Phase I of the project that has previously been presented to the Council.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

NYS Public Housing Law requires that the Council approve any sale or lease by the Authority of all or a portion of a project in order to obtain the benefits of any Federal program of assistance for low income housing.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A

Common Council Member Calsolaro introduced the following:

Resolution Number 52.81.12R

A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE ALBANY HOUSING AUTHORITY AND PUBLIC EMPLOYEES FEDERATION, AFL-CIO, DIVISION 503

RESOLVED, that pursuant to Section 32, of Article 3, of the New York State Public Housing Law, for the purpose of fixing compensations, the Albany Housing Authority is hereby authorized and empowered to execute a collective bargaining agreement with Public Employees Federation, AFL-CIO, Division 503, together with such other forms necessary to effectuate the purposes thereof.

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 27, 2012

RESOLUTION NUMBER 52.81.12R

TITLE

A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE ALBANY HOUSING AUTHORITY AND PUBLIC EMPLOYEES FEDERATION, AFL-CIO, DIVISION 503

GENERAL PURPOSE OF LEGISLATION

Formal ratification by the City of Albany of the collective bargaining agreement between the AHA and PEF.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Ratification by Common Council is required pursuant to the Public Housing Law.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

As soon as practicable.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

A representative from AHA is available to answer questions at the Council's convenience.

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

See attached document.

Council Member Smith introduced the following:

Resolution Number 53.81.12R

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH ALBANY TILE SUPPLY CO., INC. FOR THE USE AND OCCUPANCY OF A PORTION OF THE CITY RIGHT-OF-WAY ADJACENT TO 452 NORTH PEARL STREET

BE IT RESOLVED, that the Mayor be and is hereby authorized and empowered to execute and enter into a license agreement with Albany Tile Supply Co., Inc. for the use and occupancy of a portion of the City right-of-way of Loudonville Road, adjacent to 452 North Pearl Street, for the erection of a sign upon such terms and conditions as approved by the Corporation Counsel and the involved City agencies together with such other forms, documents and agreements necessary to amend, supplement and/or effectuate the same.

To: Nala Woodard, City Clerk
From: Patrick K. Jordan, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: July 27 2012

RESOLUTION NUMBER 53.81.12R

TITLE

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT ALBANY TILE SUPPLY CO., INC. FOR THE USE AND OCCUPANCY OF A PORTION OF THE CITY RIGHT-OF-WAY ADJACENT TO 452 NORTH PEARL STREET

GENERAL PURPOSE OF LEGISLATION

To allow for the construction of a sign within the City's right-of-way of Loudonville Rd. Albany Tile owns the adjacent property, 452 N. Pearl St., which runs from Loudonville Rd. to N. Pearl.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Use of public right-of-way requires Council approval.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A
