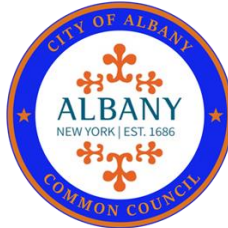


This meeting is being held in accordance to Governor Hochul's signed legislation allowing municipalities to resume remote meetings until January 15, 2022 and we encourage residents to continue participating. Constituents provide public comment on our new public comment line 518-694-3987, by email [commoncouncil@albanyny.gov](mailto:commoncouncil@albanyny.gov) or the form on our website <https://www.albanyny.gov/Government/CityOfficials/CommonCouncil.aspx>. These comments will be shared with members and/ or read for the record at the meeting, posted on our website and Facebook. Constituents may also register to speak during the meeting and you will be provided with the zoom credentials if it is your intent to speak email us at [commoncouncil@albanyny.gov](mailto:commoncouncil@albanyny.gov)



**COMMON COUNCIL MEETING  
FINANCE, ASSESSMENT AND TAXATION COMMITTEE  
Ginnie Farrell, Chair**

**DATE/TIME:** Wednesday, December 15, 2021 at 6:30 PM or following Caucus

**LOCATION:** Virtual Meeting, Live streamed to Facebook

**PUBLIC COMMENT PERIOD:** YES

**TOPIC(S) OF DISCUSSION/CONSIDERATION:**

<p><b>ORDINANCE 32.102.21 (As Amended 11/10/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$1,500,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$1,500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC ENGINEERING – BUILDING/FACILITY ACQUISITION)</b></p>	<p><b>ORDINANCE 33.102.21 (As Amended 10/29/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC ENGINEERING – TRAFFIC SIGNAL IMPROVEMENT – RADIO COMMUNICATIONS UPGRADES)</b></p>
<p><b>ORDINANCE 34.102.21 (As Amended 10/29/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$570,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$570,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (APD – INTERVID SURVEILLANCE SYSTEM – PHASE 3 OF PROJECT INSTALLATION)</b></p>	<p><b>ORDINANCE 41.102.21 (As Amended 10/29/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$4,000,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$4,000,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – STREET RECONSTRUCTION)</b></p>
<p><b>ORDINANCE 42.102.21 (As Amended 10/29/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$600,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$600,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – SIDEWALK RECONSTRUCTION)</b></p>	<p><b>ORDINANCE 43.102.21 (As Amended 10/29/2021)</b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$300,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$300,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – ADA COMPLIANCE)</b></p>

<p><b><u>ORDINANCE 47.102.21 (As Amended 11/10/21)</u></b>  <b>AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$850,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$850,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (AFD – CARDIAC MONITOR REPLACEMENT)</b></p>	<p><b><u>Resolution Number 85.112.21R (As Amended 12/2/2021)</u></b>  <b>A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR CERTAIN POSITIONS FOR THE 2022 BUDGET</b></p>
<p><b><u>Resolution Number 90.121.21R</u></b>  <b>RESOLUTION OF THE COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW</b></p>	<p><b><u>Resolution Number 92.121.21R</u></b>  <b>RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE, AND THE DEPARTMENT OF GENERAL SERVICES</b></p>
<p><b><u>LOCAL LAW S OF 2021</u></b>  <b>A LOCAL LAW AMENDING THE CITY OF ALBANY CHARTER IN RELATION TO THE DEFINITION OF BUDGETED FUNDS</b></p>	<p><b><u>Local Law T of 2021</u></b>  <b>A LOCAL LAW AMENDING THE CITY OF ALBANY CHARTER IN RELATION TO THE COMPOSITION OF THE BOARD OF ESTIMATE AND APPORTIONMENT</b></p>

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following**

**ORDINANCE 32.102.21 (As Amended 11/10/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$1,500,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$1,500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC ENGINEERING – BUILDING/FACILITY ACQUISITION)**

*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:	Acquisition of building/facility
Local Finance Law Section 11 Subparagraph:	(a)(11)(b)
Period of Probable Usefulness:	25 years
Maximum Term of Obligations:	25 years
Maximum Estimated Cost:	\$1,500,000
Maximum Amount of Bonds:	\$1,500,000
Treasurer’s Bond Authorization Number(s):	A-22
Treasurer’s Project Number(s):	GH312033109201

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$1,500,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following**

**ORDINANCE 33.102.21 (As Amended 10/29/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC ENGINEERING – TRAFFIC SIGNAL IMPROVEMENT – RADIO COMMUNICATIONS UPGRADES)**

*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 signal improvements – radio communications upgrades
Local Finance Law Section 11 Subparagraph:	72(a)
Period of Probable Usefulness:	20 years
Maximum Term of Obligations:	20 years
Maximum Estimated Cost:	\$500,000
Maximum Amount of Bonds:	\$500,000
Treasurer’s Bond Authorization Number(s):	B-22
Treasurer’s Project Number(s):	GHG312033109202

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$500,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following**

**ORDINANCE 34.102.21 (As Amended 10/29/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$570,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$570,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (APD – INTERVID SURVEILLANCE SYSTEM – PHASE 3 OF PROJECT INSTALLATION)**

*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:	Phase 3 of InterVid Surveillance System Installation
Local Finance Law Section 11 Subparagraph:	25
Period of Probable Usefulness:	10 years
Maximum Term of Obligations:	10 years
Maximum Estimated Cost:	\$570,000
Maximum Amount of Bonds:	\$570,000
Treasurer’s Bond Authorization Number(s):	C-22
Treasurer’s Project Number(s):	GH31209203

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$570,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.



**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following**

**ORDINANCE 41.102.21 (As Amended 10/29/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$4,000,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$4,000,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – STREET RECONSTRUCTION)**

*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:	Street reconstruction
Local Finance Law Section 11 Subparagraph:	20 (b)
Period of Probable Usefulness:	10 years
Maximum Term of Obligations:	10 years
Maximum Estimated Cost:	\$4,000,000
Maximum Amount of Bonds:	\$4,000,000
Treasurer’s Bond Authorization Number(s):	J-22
Treasurer’s Project Number(s):	GH149250109210

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$4,000,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following:**

**ORDINANCE 42.102.21 (As Amended 10/29/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$600,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$600,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – SIDEWALK RECONSTRUCTION)**

*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:	Sidewalk reconstruction
Local Finance Law Section 11 Subparagraph:	24
Period of Probable Usefulness:	10 years
Maximum Term of Obligations:	10 years
Maximum Estimated Cost:	\$600,000
Maximum Amount of Bonds:	\$600,000
Treasurer’s Bond Authorization Number(s):	K-22
Treasurer’s Project Number(s):	GH149250109211

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$600,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following:**

**ORDINANCE 43.102.21 (As Amended 10/29/2021)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$300,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$300,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENGINEERING – ADA COMPLIANCE)**

*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:	ADA compliance for streets and sidewalks
Local Finance Law Section 11 Subparagraph:	24
Period of Probable Usefulness:	10 years
Maximum Term of Obligations:	10 years
Maximum Estimated Cost:	\$300,000
Maximum Amount of Bonds:	\$300,000
Treasurer’s Bond Authorization Number(s):	L-22
Treasurer’s Project Number(s):	GH149250109212

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$300,000.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Council Member Farrell, on behalf of the Finance, Taxation and Assessment Committee, introduced the following**

**ORDINANCE 47.102.21 (As Amended 11/10/21)**

**AN ORDINANCE AUTHORIZING CERTAIN PURCHASES BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$850,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$850,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (AFD – CARDIAC MONITOR REPLACEMENT)**

*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:	Purchase of new cardiac monitors
Local Finance Law Section 11 Subparagraph:	(a)(27-a)
Period of Probable Usefulness:	5 years
Maximum Term of Obligations:	5 years
Maximum Estimated Cost:	\$850,000
Maximum Amount of Bonds:	\$850,000
Treasurer’s Bond Authorization Number(s):	P-22
Treasurer’s Project Number(s):	GH34109216

**Section 2.** The plan of financing such objects or purposes is the lease financing of or the issuance of \$850,00.00 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 publication, or

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

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

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

**Section 12.** This ordinance shall be dated October 8, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.



**Council Member Farrell on behalf of the Committee on Finance, Assessment, and Taxation introduced the following:**

**Resolution Number 85.112.21R (As Amended 12/2/2021)**

**A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR CERTAIN POSITIONS FOR THE 2022 BUDGET**

**WHEREAS**, Section 604(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary total that occurs outside of those described in the duly adopted budget must be consented to by the Common Council; and

**WHEREAS**, the Acting Budget Director has requested amendments to the 2022 proposed budget as detailed in “Attachment A” which is incorporated and attached to this resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany consents to the transfer of funds affecting the salary totals for various positions as detailed in “Attachment A” for the 2022 budget year.

<b>Fund</b>	<b>Amendment Description</b>	<b>Department</b>	<b>Budget Account</b>	<b>Addition to</b>	<b>Reduction in</b>	<b>Addition to</b>	<b>Reduction in</b>
	<b>General Fund</b>						
<b>A</b>	<i>Codes</i>						
	Increase Salary - Senior Clerk	Codes	A.3620.7000	\$2,598			
	Increase Salary - Information Clerk I	Codes	A.3620.7000	\$1,950			
	Increase Salary - Information Clerk I	Codes	A.3620.7000	\$1,950			
	Increase Salary - Information Clerk I	Codes	A.3620.7000	\$1,950			
	Increase Salary - Clerk I	Codes	A.3620.7000	\$1,865			
	Increase SS	Codes	A.3620.7801	\$789			
	<i>Corporation Counsel</i>						
	Increase Salary - Senior Assistant Corporation Counsel	Law	A.1420.7000	\$10,218			
	Increase SS	Law	A.1420.7801	\$782			
	Increase Revenue - Reimbursement - Water Bd./Auth.	Revenue	A.1000.2791			\$11,000	
	<i>City Clerk</i>						
	Title Change - Office Manager to Account Clerk	City Clerk	A.1410.7000				
	<i>Recreation</i>						
	Title Change - Executive Assistant to Office Supervisor	Recreation Administration					
	Increase Salary - Fitness Instructor	Recreation Programs	A.7140.0400.7000	\$1,314			
	Increase Salary - Boxing Coach	Recreation Programs	A.7140.0400.7000	\$1,471			
	Increase Salary - Community Center Director	Recreation Programs	A.7140.0400.7000	\$2,132			
	Increase Salary - Community Center Director	Recreation Programs	A.7140.0400.7000	\$2,132			
	Increase SS	Recreation Programs	A.7140.0400.7801	\$539			
	<i>Purchasing</i>						
	Title Change - Deputy Purchasing Director to Purchasing Ag	Purchasing	A.1345.7000		\$6,523		
	<i>APD</i>						
	Increase Salary - Deputy Chief	APD - Office of the Chief	A.3120.2920.21.7000	\$7,500			
	Increase Salary - Deputy Chief	APD - Office of the Chief	A.3120.2920.21.7000	\$7,500			
	Increase Salary - Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$2,500			
	Increase Salary - Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$2,500			
	Increase Salary - Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$2,500			
	Increase Salary - Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$2,500			
	Increase Salary - Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$2,500			
	Decrease Stipend Line	APD - Office of the Chief			\$20,000		
	Increase Salary - Add 1 Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$126,076			
	Increase SS	APD - Office of the Chief	A.3120.2920.21.7801	\$9,645			
	Increase Health Ins	APD - Office of the Chief	A.3120.2920.21.7804	\$15,384			
	Increase Revenue - Sales Tax	Revenue	A.1000.1120			\$168,272	
			<b>Total:</b>	<b>\$205,795</b>	<b>\$26,523</b>	<b>\$179,272</b>	<b>\$0</b>

Fund	Amendment Description	Department	Budget Account	Addition to	Reduction in	Addition to	Reduction in
	<b>Water Fund</b>						
<b>BW</b>	<i>Water</i>						
	Increase Salary - Add 2 Intern positions @ \$7,200	8310 - Admin	BW.8310.7170	\$14,400			
	Increase SS	8310 - Admin	BW.8310.7801	\$1,102			
	Decrease Salary - Remove 1 Water Maintenance Foreman	8120 - Sewer Maintenance	BW.8120.7000		\$55,719		
	Increase Salary - Operations Manager	8120 - Sewer Maintenance	BW.8120.7000	\$7,737			
	Decrease SS	8120 - Sewer Maintenance	BW.8120.7801		\$3,671		
	Decrease Salary - Remove 1 Supervisor	8130 - Pump Stations	BW.8130.7000		\$50,398		
	Increase Salary - Add 1 Water Maintenance Foreman	8130 - Pump Stations	BW.8130.7000	\$50,398			
	Increase Salary - Add 1 Labor Supervisor	8320 - Source of Supply & Power	BW.8320.7000	\$50,398			
	Decrease Salary - Remove 1 Water Maintenance Foreman	8320 - Source of Supply & Power	BW.8320.7000		\$50,398		
	Decrease Salary - Remove 1 Equipment Operator I	8320 - Source of Supply & Power	BW.8320.7000		\$38,438		
	Increase Salary - Add 1 Equipment Operator III	8320 - Source of Supply & Power	BW.8320.7000	\$49,029			
	Increase Salary - Add 1 Seasonal	8320 - Source of Supply & Power	BW.8320.7000	\$17,680			
	Increase Salary - Add 1 Watershed Operations Technician	8320 - Source of Supply & Power	BW.8320.7000	\$52,000			
	Increase SS	8320 - Source of Supply & Power	BW.8320.7801	\$6,141			
	Decrease Salary - Remove 1 Water Plant Attendant	8330 - Purification	BW.8330.7000		\$35,006		
	Increase Salary - Add 1 Maintenance Supervisor	8330 - Purification	BW.8330.7000	\$60,000			
	Increase Salary - Add 3 Interns @ \$5,000	8330 - Purification	BW.8330.7170	\$15,000			
	Increase SS	8330 - Purification	BW.8330.7801	\$3,060			
	Decrease Salary - Remove 1 Assistant Operations Manager	8340 - Transmission & Distribution	BW.8340.7000		\$74,263		
	Increase Salary - Add 1 Water Maintenance Foreman	8340 - Transmission & Distribution	BW.8340.7000	\$55,719			
	Decrease Salary - Remove 1 Building Maintenance Worker	8340 - Transmission & Distribution	BW.8340.7000		\$35,006		
	Decrease Salary - Remove 1 Radio Dispatcher	8340 - Transmission & Distribution	BW.8340.7000		\$36,982		
	Increase Salary - Add 1 Mason	8340 - Transmission & Distribution	BW.8340.7000	\$41,850			
	Decrease SS	8340 - Transmission & Distribution	BW.8340.7801		\$3,724		
	Increase Revenue - Water Charges	Revenue	BW.1000.2140			\$40,909	
			<b>Total:</b>	<b>\$424,514</b>	<b>\$383,605</b>	<b>\$40,909</b>	<b>\$0</b>

**TO: Danielle Gillespie, City Clerk**

**FROM: Brett Williams, Senior Assistant Corporation Counsel  
John-Raphael Pichardo, Esq., Research Counsel**

**RE: Request for Common Council Legislation  
Supporting Memorandum**

**DATE: November 4, 2021**

**SPONSOR: Council Member Farrell on behalf of the Committee on Finance, Assessment,  
and Taxation**

**RESOLUTION 85.111.21R (*As Amended 12/2/2021*)**

**TITLE**

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR CERTAIN POSITIONS FOR THE 2022 BUDGET

**GENERAL PURPOSE OF LEGISLATION**

These changes are to reflect certain salary adjustments not reflected in the 2022 proposed budget book.

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

Pursuant to the City Charter the Council must consent to the transfer of funds that affect salary totals which occur outside of the Budget process, and must “adopt the budge with or without amendments on or before November 30 of the current fiscal year.”

**Council Member Farrell on behalf of committee on Finance, Assessment, and Taxation introduced the following, which was approved:**

**Resolution Number 90.121.21R**

**RESOLUTION OF THE COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW**

**WHEREAS**, by Local Law No. 1-1998, the Common Council adopted the provisions of Section 1903 of the Real property Tax Law relating to the establishment of homestead and non-homestead base proportions; and

**WHEREAS**, pursuant to Section 1903(4) of the Real Property Tax Law, the City of Albany has opted not to amend its differential; and

**WHEREAS**, pursuant to Section 1903 of the Real Property Tax Law, the locally-adjusted homestead base proportion of the City of Albany's base year assessment roll of 2021 has been determined to be 54.71881 percent; and

**WHEREAS**, pursuant to Section 1903 of the Real Property Tax Law, the locally-adjusted non-homestead base proportion of the City of Albany's base year assessment roll of 2021 has been determined to be 45.28119 percent;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany does hereby establish the existing class shares as follows:

The locally-adjusted homestead base proportion shall equal 54.71881 percent and the locally-adjusted non-homestead base proportion shall equal 45.28119 percent.

**To:** Danielle Gillespie, City Clerk  
**From:** Brett Williams, Senior Corporation Counsel  
**Re:** Request for Common Council Legislation  
Supporting Memorandum  
**Date:** November 24, 2021  
**Sponsor:** Council Member Farrell on behalf of committee on Finance, Assessment, and Taxation

**RESOLUTION NUMBER 90.121.21R**

**TITLE**

**RESOLUTION OF COMMON COUNCIL ESTABLISHING THE LOCALLY-ADJUSTED BASE PROPORTIONS OF THE HOMESTEAD AND NON-HOMESTEAD CLASSES FOR PROPERTY TAX PURPOSES PURSUANT TO ARTICLE 19 OF THE REAL PROPERTY TAX LAW.**

**GENERAL PURPOSE OF LEGISLATION**

This resolution establishes the locally-adjusted base proportions of taxable value for the homestead and non-homestead classes regarding the City's 2021 assessment roll for property taxes payable in January, 2022. Generally speaking, the homestead class includes residential parcels, while the non-homestead class includes commercial parcels. The established tax base proportions will be as follows:

Homestead:	54.71881%
Non-Homestead:	45.28119%

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

This legislation is necessary to bring the City in compliance with Article 19 of the NYS Real Property Tax Law, which requires the local legislative body in a taxing jurisdiction that has split the assessment roll into homestead and non-homestead classes to calculate the current and adjusted base proportions of the two classes.

**FISCAL IMPACT(S)**

None.

**Council Member Farrell, on behalf of the Committee on Finance, Assessment, and Taxation, introduced the following:**

**Resolution Number 92.121.21R**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE, AND THE DEPARTMENT OF GENERAL SERVICES**

**WHEREAS**, the Department of Fire and Emergency Services and the Department of Buildings and Regulatory Compliance were both created under Part 2 of Chapter 42 of the Code of the City of Albany; and

**WHEREAS**, the Department of General Services was created under Part 5 of Chapter 42 of the Code of the City of Albany; and

**WHEREAS**, each of the above-referenced departments have the ability to apply charges to real property the services they perform at those properties during the course of any tax year; and

**WHEREAS**, those charges are transmitted to the Treasurer of the City of Albany and collected by the Treasurer; and

**WHEREAS**, section 258-2 of Chapter 258 of the Code of the City of Albany provides that “any unpaid fees, fines or penalties levied against property, or owner(s) thereof, within the City of Albany that are owed to the City of Albany for the violation of any or all City laws, ordinances and promulgations, and of all state laws, shall be and remain a lien against the property, and such fees, fines or penalties shall be collected by the City from the owner(s) of such property in the same manner as taxes are collected, in that such fees, fines or penalties shall be added to the property tax bill of the subject property”; and

**WHEREAS**, on or about November 15 of each year, the Treasurer creates an accounting of all these charges that remain uncollected from the current and preceding year; and

**WHEREAS**, all of these charges uncollected in the preceding year need to be levied and placed on the annual tax roll of the City of Albany; and

**WHEREAS**, the Treasurer of the City of Albany has filed with the Common Council a statement of unpaid charges for the years 2019, 2020, and 2021 totaling ;

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Albany that there be delinquent charges levied and assessed against each specific lot or parcel of land as set forth in the statement of unpaid charges for the years 2019, 2020 and 2021 by the City of Albany; and

**BE IT FURTHER RESOLVED**, that such individual sums, being hereby levied against said liable properties, amounting in the aggregate to \$2,681,129.04 shall be placed on the 2022 tax roll of the City of Albany and further allocated individually to the liable properties in conjunction with said properties' 2022 tax bills; and

**BE IT FURTHER RESOLVED**, that the charges totaling \$2,681,129.04 represent the following:

Waste Collection Fee Levy

<b>Year</b>	<b>Amount</b>
2021	\$154,241.93
2020	\$132,236.50
2019	\$178,337.50
<b>Total</b>	<b>\$464,815.93</b>

Buildings and Regulatory Compliance Levy

<b>Description</b>	<b>Amount</b>
Demolitions	\$1,716,659.70
<b>Total</b>	<b>\$1,716,659.70</b>

Department of General Services Levy

<b>Description</b>	<b>Amount</b>
Snow	\$32,176.65
Illegal Trash/Cleanups	\$432,797.15
Boardups	\$6,519.95
Property Maintenance (Trees)	\$28,159.66
<b>Total</b>	<b>\$499,653.41</b>

**BE IT FURTHER RESOLVED**, that the Clerk of the City of Albany is directed to forward a certified copy of this resolution to the Treasurer of the City of Albany.



**To:** Danielle Gillespie City Clerk  
**From:** Brett Williams, Senior Assistant Corporation Counsel  
**Re:** Request for Common Council Legislation  
Supporting Memorandum  
**Date:** November 24, 2021  
**Sponsor:** Farrell, o/b/o Finance Committee

**RESOLUTION NUMBER 92.121.21R**

**TITLE**

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE LEVY UPON CITY OF ALBANY PROPERTIES FOR UNPAID CHARGES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES, DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE, AND THE DEPARTMENT OF GENERAL SERVICES

**GENERAL PURPOSE OF LEGISLATION**

This resolution authorizes the Treasurer's Office to levy unpaid charges from the various City departments that were billed in 2019, 2020, and 2021 on the 2022 tax roll and to put such charges on individual 2022 tax bills.

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

This resolution is required so that delinquent charges can be added to the 2022 tax bills and be billed in January, which will then enable the City Treasurer to relevel any unpaid delinquent charges to Albany County in 2022.

**FISCAL IMPACT(S)**

A total of \$2,681,129.04 will be relevelled and placed on the tax roll and individual tax bills.

**Council Member Conti introduced the following:**

**LOCAL LAW S OF 2021**

**A LOCAL LAW AMENDING THE CITY OF ALBANY CHARTER IN RELATION TO THE DEFINITION OF BUDGETED FUNDS**

*Be it enacted by the Common Council of the City of Albany as follows:*

**Section 1.** Subsection (D) of Section 604 of the Charter of the City of Albany is amended by adding a new paragraph (c) to read as follows:

(c) For the purposes of this subsection, the term “budgeted funds” shall mean: funds included in the adopted budget pursuant to subsection (B) of this section; additional fund transfers to the general fund under this subsection; or any transfer of funds from an unappropriated fund balance.

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

## Supporting Memorandum

### Local Law S of 2021

**Sponsor(s):** Council Member Conti

**TITLE:** A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ALBANY IN RELATION TO THE DEFINITION OF BUDGETED FUNDS

**PURPOSE:** To define the term “budgeted funds” as it relates to the transfer of funds after the adoption of the annual operating budget subject to Common Council approval.

**SUMMARY:** Defines “budgeted funds” to mean: funds included in the adopted budget; additional fund transfers to the general fund by E&A; or any transfer of funds from an unappropriated fund balance.

**JUSTIFICATION:** When adopted in 1998 and further amended in 2008, the Albany City Charter enhanced the budget authority of the Common Council including authority to authorize certain “budgeted fund” transfers after adoption of the original budget. The Charter refers to the transfer of “budgeted funds” but does not define the term. Once the annual budget has been adopted by the Common Council, amendments and resultant fund transfers can be made by the Board of Estimate Apportionment. Logically, these fund transfers than become “budgeted funds” and should be subject to prior Common Council authorization where otherwise specified in the Charter. There has been some dispute as to what “budgeted funds” means, the purpose of this local law is to define “budgeted funds” so as to include transfers made through the E&A process.

**FISCAL IMPACT:** None

**EFFECTIVE DATE:** Upon final passage, public hearing, filing with the Secretary of State.

**Council Member Conti introduced the following:**

**Local Law T of 2021**

**A LOCAL LAW AMENDING THE CITY OF ALBANY CHARTER IN RELATION TO THE COMPOSITION OF THE BOARD OF ESTIMATE AND APPORTIONMENT**

*Be it enacted by the Common Council of the City of Albany as follows:*

**Section 1.** Section 606 of the Charter of the City of Albany is amended by to read as follows:

There shall continue to be a Board of Estimate and Apportionment which shall consist of the Mayor, Comptroller (Chief City Auditor commencing January 1, 2010), President of the Common Council, Treasurer and the [~~Corporation Counsel~~] President Pro Tempore of the Common Council or their designees. Except to the extent inconsistent with the Charter, the Board shall exercise the functions as presently set forth in the Code of the City of Albany or as subsequently created, modified or repealed by a duly enacted local law and the functions otherwise authorized by state law.

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

## Supporting Memorandum

### LOCAL LAW T OF 2021

**SPONSOR(S):** Council Member Conti

**TITLE:** A LOCAL LAW AMENDING THE CITY OF ALBANY CHARTER IN RELATION TO THE COMPOSITION OF THE BOARD OF ESTIMATE AND APPORTIONMENT

**PURPOSE:** To provide the Common Council with representation on the Board of Estimate and Apportionment.

**JUSTIFICATION:** Under the current City Charter, the Mayor submits to the Common Council for review and approval a budget for the financing of city government. Once a budget is adopted, it may from time to time need to be revised. Some of these revisions may be routine administrative revisions, others may relate to policy that impact government programs and objectives. Under the charter, the City of Albany uses an archaic mechanism called the Board of Estimate and Apportionment to revise the budget after its adoption by the Common Council. This mechanism has its roots in the NYS Second Class Cities Law adopted in 1906. The current Board is comprised of the Mayor, City Auditor, Treasurer, Common Council President and Corporation Counsel. Four of these five positions are elected officials, the Corporation Counsel is a department head appointed by the Mayor. This Board has the authority to make budget adjustments without the involvement or review (except in limited instances) of the Common Council.

A basic flaw in the current E&A process is that the Common Council, which is the policy making body that reviews, has the authority to revise, and approves the budget is not involved in any policy related revisions (except in limited instances) that are subsequently made after final adoption. This is a breakdown in the checks and balances central to government. While the Common Council President is a member of E&A, that position is of a separately elected city-wide official who presides over the Council but has no direct role in Council deliberations or legislative actions. Since the Council President is not selected by members of the Council, the Council President is not accountable to or bound to represent the Common Council and its legislative actions. In addition, under the NYS Second Class Cities Law, the Council President is not defined as a member of the Council.

Under its current composition, the membership of the Common Council is the only elective entity not represented on E&A, and the Corporation Counsel as an appointed official is the only non-elected member of the body. In replacing the membership of the Corporation Counsel on E&A with the Council's President Pro Tempore (or designee), a position filled by members of the Common Council, and which serves at the pleasure of the Common Council, the Common Council would have direct representation on E&A and have a role in their deliberations and E&A would become a board fully comprised of elected officials, which arguably is more appropriate, vs. including a non-elected mayoral appointee.

**FISCAL IMPACT:** None

**EFFECTIVE DATE:** Upon final passage, public hearing, filing with the Secretary of State.