

COMMON COUNCIL OF THE CITY OF ALBANY
SUPPORT LEGISLATION
FEBRUARY 18, 2021

LOCAL LAW

B OF 2021 **LOCAL LAW AMENDING ARTICLE II (ASSESSMENT AND COLLECTION OF TAXES) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO DELAYING THE IMPLEMENTATION OF INTEREST ON DELINQUENT TAX BILLS DURING THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC**

RESOLUTIONS

17.22.21R **RESOLUTION OF THE COMMON COUNCIL SUPPORTING AN AMENDMENT TO TITLE 6 OF ARTICLE 5 THE NEW YORK STATE PUBLIC AUTHORITIES LAW IN RELATION TO THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND ALBANY WATER BOARD**

18.22.21R **RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE REAPPOINTMENT OF JEFFREY SPERRY AS A MEMBER AND THE CHAIRPERSON OF THE ALBANY PARKING AUTHORITY**

19.22.21R **RESOLUTION CALLING FOR THE ENFORCEMENT OF THE CITY OF ALBANY'S CODE PART I: ADMINISTRATIVE LEGISLATION / LABOR ARTICLE V STRIKEBREAKERS**

Council Member ___ introduced the following:

LOCAL LAW B OF 2021

LOCAL LAW AMENDING ARTICLE II (ASSESSMENT AND COLLECTION OF TAXES) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO DELAYING THE IMPLEMENTATION OF INTEREST ON DELINQUENT TAX BILLS DURING THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC

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

Section 1. Article II of Chapter 333 of Part II of the Code of the City of Albany is hereby amended by adding thereto a new Section 333-33.3 entitled, “Delayed imposition of interest on taxes and penalties during the COVID-19 pandemic,” to read as follows:

Section 333-33.3. Delayed imposition of interest on taxes and penalties during the COVID-19 pandemic.

- A. Pursuant to the authority granted in section 1910 of the New York State Real Property Tax Law, the City Treasurer is authorized to delay the implementation of interest on delinquent 2021 City tax bills and any penalties associated therewith until May 31, 2021.
- B. Pursuant to the authority granted in section 1910 of the New York State Real Property Tax Law, and upon passage of a local law authorizing the City Treasurer to do so, the City Treasurer is authorized to delay the implementation of interest on delinquent 2021 County tax bills and any penalties associated therewith until May 31, 2021.
- C. This section shall be deemed repealed on June 1, 2021.

Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State, and shall remain in effect until June 1, 2021, upon which date it shall be deemed repealed.

**APPROVED AS TO FORM THIS
3RD DAY OF FEBRUARY, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk

From: Brett Williams, Esq., Senior Assistant Corporation Counsel

Re: Request for Common Council

Date: February 3, 2021

SPONSOR: To be determined

LOCAL LAW B OF 2021

TITLE

LOCAL LAW AMENDING ARTICLE II (ASSESSMENT AND COLLECTION OF TAXES) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO DELAYING THE IMPLEMENTATION OF INTEREST ON DELINQUENT TAX BILLS DURING THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC

GENERAL PURPOSE OF LEGISLATION

Per RPTL § 1910, newly signed into law with immediate effect by Governor Cuomo on January 30, taxing jurisdictions are now allowed to “defer the scheduled payment or installments of taxes and special ad valorem levies due during the state disaster emergency until such date certain that such local law shall specify.” The law authorizes taxing jurisdictions to defer such payments up to one hundred twenty days past the original due date of such original taxes.

This local law authorizes the City Treasurer to delay the implementation of interest on delinquent taxes and penalties for one hundred twenty days, from the usual due date of January 31 to May 31, in 2021 *only*.

NECESSITY FOR LEGISLATION

RPTL § 1910 requires that the legislation described above must be passed by local law, and only after a public hearing. RPTL § 1910 further stipulates that no taxing jurisdiction may defer the scheduled payments of another taxing jurisdiction “without such other taxing jurisdiction’s authorization via passage of a local law.” Therefore, the City may not delay the collection of taxes, penalties, or interest due to the County (a function which the City performs on the County’s behalf) unless the County also passes a local law under RPTL § 1910 authorizing the City to do so. A local law similar to this one, authorizing the City to delay collection of the County’s interest, is before the Albany County Legislature.

The Treasurer is requesting this local law because it will provide a measure of relief to those struggling financially due to the COVID-19 pandemic by allowing them more time to pay their taxes and penalties before interest is added.

FISCAL IMPACT

This local law will delay the imposition of interest on late tax and penalty payments, thereby potentially reducing, somewhat, the amount of interest collected.

Council Members Conti, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Kimbrough, O'Brien introduced the following:

RESOLUTION NUMBER 17.22.21R

RESOLUTION OF THE COMMON COUNCIL SUPPORTING AN AMENDMENT TO TITLE 6 OF ARTICLE 5 OF THE NEW YORK STATE PUBLIC AUTHORITIES LAW IN RELATION TO THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND ALBANY WATER BOARD

WHEREAS, Title 6 of Article 5 of the New York State Public Authorities Law established the Albany Municipal Water Finance Authority and the Albany Water Board; and

WHEREAS, the Albany Municipal Water Finance Authority and the Albany Water Board are responsible for the management and financing of Albany's water system and delivery of services to the residents of the City of Albany; and

WHEREAS, this is a significant responsibility which has been delegated by state law to such entities; and

WHEREAS, the Albany Municipal Water Finance Authority consists of seven members, five appointed by the Mayor of the City of Albany and two by the Governor of the State of New York upon nomination by the Mayor; and

WHEREAS, the Albany Water Board consists of five members appointed by the Mayor; and

WHEREAS, appointment to these boards are by unilateral action not subject to review and confirmation by the Albany Common Council as the governing body of the City of Albany; and

WHEREAS, the current appointment procedure diminishes oversight of these boards and weakens accountability; and

WHEREAS, under various state and local laws it has become common practice for mayoral appointments to various boards, commissions and authorities to be subject to confirmation by the Common Council; and

WHEREAS, under the Albany City Charter the Common Council also has confirmation authority over Mayoral appointments of various department heads;

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council finds and declares that its lack of authority to confirm appointments to the Albany Municipal Water Finance Authority and the Albany Water Board diminishes its ability to exercise adequate and appropriate oversight over the activities and operations of these boards and such lack of authority diminishes accountability; and

BE IT FURTHER RESOLVED, that the Albany Common Council calls upon the State Legislature to amend existing law to establish the authority of the Common Council to confirm mayoral appointments to these boards; and

BE IT FURTHER RESOLVED, that to the extent such amendment requires a home rule request by the Albany Common Council, such request shall be adopted upon introduction of appropriate legislation in the State Senate and State Assembly; and

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to State Senator Neil Breslin and Assembly Members Patricia Fahy and John McDonald.

To: Danielle Gillespie, City Clerk
From: Richard Conti, Council Member 6th ward
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 2, 2021

Resolution Number 17.22.21R

SPONSOR(S): Councilmember Conti

TITLE:

RESOLUTION OF THE COMMON COUNCIL SUPPORTING AN AMENDMENT TO TITLE 6 OF ARTICLE 5 OF THE NEW YORK STATE PUBLIC AUTHORITIES LAW IN RELATION TO THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY AND ALBANY WATER BOARD

PURPOSE

To establish the Common Council's confirmation authority over Mayoral appointments to the Albany Municipal Water Finance Authority and Albany Water Board.

SUMMARY

Requests introduction and enactment of State legislation amending Title 6 of the NYS Public Authorities Law to establish the Common Council's confirmation authority over Mayoral appointments to the Albany Municipal Water Finance Authority and Albany Water Board; sets forth the reasons justifying such amendment.

JUSTIFICATION

As set forth in the accompanying resolution. An identical resolution (16.21.08R) was adopted by the Common Council on February 4, 2008 by a vote of 13-0 and transmitted to Albany's state legislative delegation, however no further action was taken.

FISCAL IMPACT

None.

EFFECTIVE DATE

Immediate.

Common Council Member _____ offered the following:

RESOLUTION NUMBER 18.22.21R

RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE REAPPOINTMENT OF JEFFREY SPERRY AS A MEMBER AND THE CHAIRPERSON OF THE ALBANY PARKING AUTHORITY

WHEREAS, the Mayor of the City of Albany has, pursuant to the provisions of Section 1493-c of the Public Authorities Law of the State of New York reappointed Jeffrey Sperry as a member and the Chairperson of the Albany Parking Authority;

NOW, THEREFORE, BE IT RESOLVED that Jeffrey Sperry be confirmed as a member and the Chairperson of the Albany Parking Authority for a five (5) year term of office to expire January 2, 2026.

To: Danielle Gillespie, City Clerk

From: Brett Williams, Esq., Senior Assistant Corporation Counsel

Re: Request for Common Council Legislation
Supporting Memorandum

Date: February 4, 2021

SPONSOR To be determined

RESOLUTION NUMBER 18.22.21R

TITLE

RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE REAPPOINTMENT OF JEFFREY SPERRY AS A MEMBER AND THE CHAIRPERSON OF THE ALBANY PARKING AUTHORITY

GENERAL PURPOSE OF LEGISLATION

To reappoint Jeffrey Sperry, the current Chairperson of the Albany Parking Authority to another five year term in that position, set to end on January 2, 2026.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Under Public Authorities Law § 1493-c, the Albany Parking Authority “shall consist of a chairman and four other members, who shall be appointed by the mayor, with the advice and consent of the common council,” for five year terms.

This resolution expresses the Council’s consent to the Mayor’s appointment.

FISCAL IMPACT(S)

None.

Council Member Hoey introduced the following:

RESOLUTION NUMBER 19.22.21R

RESOLUTION CALLING FOR THE ENFORCEMENT OF THE CITY OF ALBANY'S CODE PART I: ADMINISTRATIVE LEGISLATION / LABOR ARTICLE V STRIKEBREAKERS

WHEREAS, the nurses at Albany Medical Center voted to unionize over two years ago; and

WHEREAS, there has been no movement in contract negotiations, which Albany Medical Center management hopes will break the nurses' union; and

WHEREAS, the nurses are exhausted by their effort to keep their patients alive during the Covid-19 pandemic; and

WHEREAS, the nurses, seeing no movement at the negotiations table, called a 24-hour strike on December 1, 2020; and

WHEREAS, Albany Medical Center Management hired hundreds of strikebreaker replacement nurses and locked its own nurses out for the following two days, thereby preventing its own nurses from caring for their patients; and

WHEREAS, the City of Albany New York has on its books an anti-strikebreaking law; and

WHEREAS, Section 62-5 of the law states: "Purpose. No person, partnership, agency, firm or corporation, or officer, employee or agent thereof, shall recruit, procure, supply or refer any person for employment who customarily and repeatedly offers himself for employment in place of any employee involved in a labor dispute in which such person, partnership, agency, firm or corporation is not directly involved"; and

WHEREAS, Section 62-6 of the law states: "Prohibited employment of strikebreakers. No person, partnership, firm or corporation involved in a labor dispute shall, directly or indirectly, employ in the place of an employee involved in such dispute any person who customarily and repeatedly offers himself for employment in the place of employees involved in a labor dispute or contract or arrange with any other person, partnership, agency, firm or corporation to recruit, procure, supply or refer persons for employment who customarily and repeatedly offer themselves for employment in place of employees involved in such labor dispute"; and

WHEREAS, Section 62-7 of the law states: "Unlawful to employ replacements. No person who customarily and repeatedly offers himself for employment in place of employees involved in a labor dispute shall take or offer to take the place in employment of any employee involved in a labor dispute"; and

WHEREAS, Section 62-8 of the law states: "Penalties for offenses. Any person, partnership, agency, firm or corporation, or any officer, employee or agent thereof, who or which

shall violate any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to punishment by a fine of not more than \$1,000 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment”;

NOW, THEREFORE BE IT RESOLVED, that this Common Council of the City of Albany demands that the City of Albany, New York enforce its code and prosecute Albany Medical Center Management for violation of City Law; and

BE IT FINALLY RESOLVED, that Albany Medical Center release to this Council information regarding the number of the strikebreaking nurses it hired, what it paid these strikebreakers, and the names and addresses of the strikebreakers.

To: Danielle Gillespie, City Clerk
From: Council Member Tom Hoey
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 5, 2021

SPONSOR Council Member Hoey

RESOLUTION NUMBER 19.22.21R

TITLE

RESOLUTION CALLING FOR THE ENFORCEMENT OF THE CITY OF ALBANY'S CODE
PART I: ADMINISTRATIVE LEGISLATION / LABOR ARTICLE V STRIKEBREAKERS

GENERAL PURPOSE OF LEGISLATION

Calling for the enforcement of strikebreaker laws.

FISCAL IMPACT(S)

None.