



## **MINUTES OF A REGULAR MEETING MONDAY, JANUARY 3RD, 2022**

The Common Council was convened at 7:05pm. and was called to order by Council President Ellis.

The roll being called, the following answered to their names: Adams, Anane, Balarin, Clark, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Kimbrough, Love, Robinson, Romero, Zamer, and Council President Ellis

Staff Present: Danielle Gillespie, John-Raphael Pichardo, Brett Williams and Ethan Samuel.

### **APPROVAL OF MINUTES**

President Pro Tem Kimbrough made a motion to approve the minutes of November 15, 2021, December 6th, 2021 and December 20<sup>th</sup> meetings of the Council, which was duly seconded by Council Member Frederick, and APPROVED by majority voice vote.

### **CONSIDERATION OF ORDINANCES**

Council Member Farrell noticed Ordinance 1.11.22 and asked for its introduction: **(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 December 29, 2021, and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

President Pro Tem Kimbrough Referred Ordinance 1.11.22 to the Finance, Assessment, and Taxation Committee

### **CONSIDERATION OF RESOLUTIONS**

Council Member Farrell noticed Resolution 1.11.22R and asked its introduction:

**RESOLUTION NUMBER 1.11.22R .**

**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 adopted 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.

Fund	Amendment Description	Department	Budget Account	Addition to Expenses	Reduction in Expenses	Addition to Revenue	Reduction in Revenue
	<b>General Fund</b>						
<b>A</b>	<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>APD</i>						
	Increase Salary - Deputy Chief (2 @ \$7,500)	APD - Office of the Chief	A.3120.2920.21.7000	\$15,000			
	Increase Salary - Commander (4 @ \$2,500)	APD - Office of the Chief	A.3120.2920.21.7000	\$10,000			
	Decrease Stipend Line	APD - Office of the Chief	A.3120.2920.21.7193		\$20,000		
	Increase Salary - Add 1 Commander	APD - Office of the Chief	A.3120.2920.21.7000	\$128,576			
	Increase SS	APD - Office of the Chief	A.3120.2920.21.7801	\$9,836			
	Increase Health Ins	APD - Office of the Chief	A.3120.2920.21.7804	\$15,384			
	Increase Revenue - Sales Tax	Revenue	A.1000.1120			\$158,796	
			<b>Total:</b>	<b>\$189,796</b>	<b>\$20,000</b>	<b>\$169,796</b>	<b>\$0</b>

Increase Salary - Water Maintenance Foreman	8340 - Transmission & Distribution	BW.8340.7000	\$1,658			
Increase Salary - Water Maintenance Foreman (2)	8340 - Transmission & Distribution	BW.8340.7000	\$4,428			
Increase Salary - Water Maintenance Foreman	8340 - Transmission & Distribution	BW.8340.7000	\$2,212			
Increase Salary - Water Maintenance Foreman (2)	8340 - Transmission & Distribution	BW.8340.7000	\$4,418			
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		\$2,574		
Increase Revenue - Water Charges	Revenue	BW.1000.2140			\$72,959	
		<b>Total:</b>	<b>\$455,244</b>	<b>\$382,285</b>	<b>\$72,959</b>	<b>\$0</b>
Increase Salary - Operations Manager	8120 - Sewer Maintenance	BW.8120.7000	\$1,101			
Decrease SS	8120 - Sewer Maintenance	BW.8120.7801		\$3,501		
<i>Water - Pumping Stations</i>						
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	\$55,682			
Increase SS	8130 - Pump Stations	BW.8130.7801	\$404			
<i>Water - Source of Supply &amp; Power</i>						
Increase Salary - Add 1 Labor Supervisor	8320 - Source of Supply & Power	BW.8320.7000	\$55,682			
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	\$6,545			
<i>Water - Purification</i>						
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			
<i>Water - Transmission &amp; Distribution</i>						
Increase Salary - Cross Connection Control Inspector	8340 - Transmission & Distribution	BW.8340.7000	\$2,214			
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	\$57,928			

President Pro Tem Kimbrough Referred Resolution 1.11.22 to the Finance, Assessment, and Taxation Committee

Council Member Farrell noticed Resolution 2.11.22R and asked its introduction:

### **RESOLUTION NUMBER 2.11.22R**

#### **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 adopted 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

Fund	Amendment Description	Department	Budget Account	Addition to Expenses	Reduction in Expenses	Addition to Revenue	Reduction in Revenue
	<b>General Fund</b>						
<b>A</b>	<i>Codes</i>						
	Increase Salary - Love Your Block Fellow position	Codes	A.3620.7000	\$40,000			
	Increase SS	Codes	A.3620.7801	\$3,060			
	Increase Health Insurance	Codes	A.3620.7804	\$9,420			
	Increase Revenue - Love Your Block Grant	Revenue	A.1000.2720			\$30,000	
	<i>Admin. Services</i>						
	Increase Salary - Climate Justice Fellow position	Admin. Services	A.1430.1600.7000	\$37,000			
	Increase SS	Admin. Services	A.1430.1600.7801	\$2,831			
	Increase Health Insurance	Admin. Services	A.1430.1600.7804	\$9,420			
	Increase Training/Conferences	Admin. Services	A.1430.1600.7463	\$3,000			
	Increase Revenue - NYSERDA Grant	Revenue	A.1000.3089.02			\$50,000	
	Increase Revenue - Sales Tax	Revenue	A.1000.1120			\$24,731	
			<b>Total:</b>	<b>\$104,731</b>	<b>\$0</b>	<b>\$104,731</b>	<b>\$0</b>

President Pro Tem Kimbrough Referred Resolution 2.11.22 to the Finance, Taxation, and Assessment Committee.

Council Member Kimbrough noticed Resolution 3.11.22R and asked for its passage on a roll call vote thereon:

**RESOLUTION NUMBER 3.11.22R**

**A RESOLUTION REAPPOINTING DANIELLE GILLESPIE AS CITY CLERK OF THE CITY OF ALBANY**

**WHEREAS**, Pursuant to Section 32 of the Second Class Cities law, “The common council shall choose a clerk to hold office during the term for which its members were elected”; and

**NOW THEREFORE, BE IT RESOLVED**, that Danielle Gillespie is hereby reappointed as City Clerk of the City of Albany for a term commencing January 1, 2022 and ending on December 31, 2025.

There being no further discussion, President Ellis called for Resolution Number 3.11.22R to pass by voice vote and the Resolution was ADOPTED:

*\*Resolution 3.11.22 was co-sponsored by Council Member(s) Adams, Anane, Balarin, Clark, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Love, Robinson, Romero, and Zamer*

Affirmative – Adams, Anane, Balarin, Clark, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Kimbrough, Love, Robinson, Romero, and Zamer

**MISCELLANEOUS AND UNFINISHED BUISNESS**

Hon. Council Member Hoey asked a question about NYCOM, in which City Clerk Danielle Gillespie responded to.

Hon. Council Member Clark asked a question about when they will find out about committee assignments, in which Hon. Council Member Kimbrough responded to.

**ADJOURNMENT:**

There being no further business, Kimbrough made a motion to adjourn which was duly seconded and adopted by unanimous voice vote. Council President Ellis declared the meeting adjourned at approximately 7:11.

Respectfully submitted by:

Ethan Samuel,  
Legislative Aide

John-Raphael Pichardo, Esq.  
Research Counsel to Common Council