



**MINUTES OF A REGULAR MEETING
MONDAY, March 15, 2021**

The Common Council was convened at 7:10 p.m. and was called to order by President Ellis. This meeting was held following Governor Cuomo’s executive order 202.1 and it live-streamed on [Facebook](#) using Zoom as the meeting platform. If we experience any technical difficulties on Facebook, the video will be streamed to [YouTube](#).

The roll being called, the following answered to their names: Anane, Balarin, Conti, Doesscahte, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O’Brien, and Robinson

Also present was the following staff: Danielle Gillespie, John-Raphael Pichardo, and Brett Williams

Council President Ellis led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Alice Green, 509 West Lawrence, Albany, NY (Resolution 26.31.21R)
2. Joann Sternheimer, 41 South Pine Ave, Albany, NY 12208 (USDO)
3. Dorsey Applrys, City Auditor, 24 Eagle Street, Room 111, Albany, NY 12207 (Resolution 26.31.21R, written comment)
4. Chris Mercogliano, 3 Wilbur St, Albany, NY 12202 (USDO)

There being no further speakers or submission of written comments, the President declared the Public Comment Period closed.

Approval of Minutes

President Pro Tem Kimbrough made a motion to approve the minutes of March 1, 2021 meeting of the Council, which was duly seconded, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

Council Member Anane noticed Local Law D of 2021 as follows, which was held for further consideration:

LOCAL LAW D OF 2021

A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ALBANY TO PROVIDE FOR ADDITIONAL PAID SICK LEAVE

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

Section 1. Section 301 (Mayor’s Powers and Duties Generally.) of Article III (Executive Branch) of the Charter is here by amended by adding a new subsection J to read as follow:

J. Notwithstanding any other provision of this Article, where pursuant to the Executive Law, the Mayor issues an Emergency Proclamation that results in the mandatory quarantine for precautionary isolation of a City employee, the Mayor may provide for a period of leave during the mandatory quarantine or isolation period, if such employee is not otherwise able to carry out the functions and responsibilities of such job.

Section 2. This local law shall take effect upon passage, public hearing, and filing with the Secretary of State without referendum.

President Pro Temp Kimbrough referred Local Law D-2021 to the Finance, Assessment and Taxation Committee

President Pro Temp Kimbrough made a motion to add Local Law E of 2021 by Majority Consent which was duly seconded and approved.

Council Member Conti noticed introduction of Local Law E of 2021 as follows, which was held for further consideration:

LOCAL LAW E OF 2021 (MC)

A LOCAL LAW AMENDING CHAPTER 357 (VEHICLES, OFF ROAD) OF THE CODE OF THE CITY OF ALBANY RELATING TO THE ILLEGAL OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF ALBANY

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

Section 1. Chapter 357 (Vehicles, Off-Road) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

~~§ 357-1 Purpose and intent.~~

~~[The Common Council hereby finds and declares that the interests of public welfare and convenience require the preservation, promotion and protection of the aesthetic and ecological aspects of the environs of the City of Albany and intends through this legislation to preserve, promote and protect the aesthetic and ecological integrity of the Pine Bush.]~~

~~§ 357-2 Scope.~~

~~The provisions of this chapter, unless otherwise expressly indicated or subsequently amended, are intended to apply and shall have application to the area of the City of Albany known as the “Pine Bush.”]~~

§ ~~[357-3]~~ 357-1 Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

OFF-THE-ROAD VEHICLES

All-terrain vehicles (sometimes known as “ATVs”) as that term is defined in section 2281 (1) of the New York State Vehicle and Traffic Law, off-highway motorcycles as that term is defined in section 125-a of the New York State Vehicle and Traffic Law, motocross or dirt bikes, dune buggies, go-carts and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles ~~in this area.~~

OPERATE

To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner, whether or not said off-road vehicle is under way.

PUBLIC HIGHWAY

Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

§ ~~357-4~~ 357-2 Restrictions.

~~[No off the road vehicles shall be used or operated on, upon, through or over the trails, trail system, dunes or other unpaved areas of the Pine Bush, the Albany Municipal Golf Course, Normanskill Farm, Tivoli Lakes, the Corning Reserve and Lower Patroon Island, Krank Park and the public lands in the vicinity of Frisbie Avenue not otherwise specifically designated or intended for vehicular traffic.]~~

A. Public Property. No person shall operate an off-road vehicle on a public highway or on any public property in the City of Albany.

B. Private Property. No person shall operate an off-road vehicle off a public highway on private property in the City Of Albany unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle on private property in the City of Albany lacks consent to operate the off-road vehicle on private property.

§ ~~357-5~~ 357-3 Penalties for offenses; impoundment and redemption.

A. Any person [~~or persons so using or operating an off the road vehicles as aforesaid~~] who operates an off-road vehicle in violation of § 357-4 (A) or (B) of this chapter shall be guilty of an offense punishable by a fine not to exceed \$650 or imprisonment not to exceed 15 days, or both.

B. In addition to the penalties set forth in subsection (A) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of § 357-4 (A) or (B) of this chapter. Such impounded off-road vehicle shall be stored by the pertinent police department or enforcement agency pending the identification of the owner of such

off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent notice of such impoundment at the address on file with the New York State Department of Motor Vehicles by certified mail within five days after the impoundment. Neither the police department impounding such off-road vehicle, nor the City of Albany, nor any agent nor employee thereof, shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of § 357-4 (A) or (B) of this chapter may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of \$2,350. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney.

§ ~~357-6~~ 357-4 Enforcement.

The Chief of Police is charged with the enforcement of the provisions of this chapter.

§ ~~357-7~~ 357-5 Severability.

If any clause, sentence, paragraph or part of this chapter or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgment shall have been rendered.

~~§ 357-8 When effective.~~

~~This chapter shall take effect immediately.]~~

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

President Pro Temp Kimbrough referred Local Law E-2021 to the Public Safety Committee

President Pro Tem Kimbrough held the remaining Local Laws on the pending agenda.

REPORTS OF STANDING COMMITTEES:

Finance, Assessment and Taxation: Chair Farrell reported that the committee met on March 4, 2021 members received an update from the Treasurer and Budget Director on City Finances. Ordinance 44.122.20 authorizing the closing of Scott Street passed through committee with amendments with a positive recommendation. Ordinance 45.122.20 authorizing the sale of Scott Street passed through the committee with a positive recommendation with amendments. Resolution 13.21.21 passed out of committee with a positive recommendation.

Housing and Community Development: Chair Doesschate reported that the committee met on March 9, 2021 with Ms. Andrews to discuss the process for year 47 awards of Community Development Block Grants, tentative awards, and budget. Committee was advised that award letters had not been sent out yet but will be going out shortly. There is a joint hearing scheduled for April 7, 2021 that will let awardees appeal tentative awards, declinations, or reductions in funding. Final

actions for year 47 will be made and the resolution will pass out of committee allowing the Mayor to execute the documents. If there are any issues a meeting has been schedule for April 15, 2021.

General Services Committee: Chair O'Brien reported the committee will be meeting on March 18, 2021 to consider three items: after action on a passed resolution regarding pedestrian safety and snow removal, Ordinance 4.31.21 which will include a presentation by the Albany Water Department regarding lead pipes, and Resolution 27.31.21R which honors Warren Adrian Mackey's legacy and discusses the proposed street renaming

Planning Committee: Chair Fahey discussed the planning committee's March 3, 2021 meeting regarding the reappointment of Jeffrey Sperry-Resolution 18.22.21R-which passed out of committee with a positive recommendation. The committee also received an update on the USDO.

Public Safety: Chair Kimbrough discussed the March 2nd and March 8th meetings discussing the Police reform collaboration and work on Resolution 26.31.21. On March 24, 2021 the committee will be meeting to discuss Local Law C and E of 2021.

CONSIDERATION OF ORDINANCES

Council member Fahey noticed the introduction of Ordinance 5.32.21 as follows, which was held for further consideration:

ORDINANCE 5.32.21

AN ORDINANCE AMENDING ARTICLE I (GENERAL PROVISIONS) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article I of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 5.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Fahey noticed the introduction of Ordinance 6.32.21 as follows, which was held for further consideration:

ORDINANCE 6.32.21

AN ORDINANCE AMENDING ARTICLE II (ZONING DISTRICTS) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article II of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 6.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Fahey noticed the introduction of Ordinance 7.32.21 as follows, which was held for further consideration:

ORDINANCE 7.32.21

AN ORDINANCE AMENDING ARTICLE III (USE REGULATIONS) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article III of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 7.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Fahey noticed the introduction of Ordinance 8.32.21 as follows, which was held for further consideration:

ORDINANCE 8.32.21

AN ORDINANCE AMENDING ARTICLE IV (DEVELOPMENT STANDARDS) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article IV of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 8.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Fahey noticed the introduction of Ordinance 9.32.21 as follows, which was held for further consideration:

ORDINANCE 9.32.21

AN ORDINANCE AMENDING ARTICLE V (ADMINISTRATION AND ENFORCEMENT) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article V of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 9.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Fahey noticed the introduction of Ordinance 10.32.21 as follows, which was held for further consideration:

ORDINANCE 10.32.21

AN ORDINANCE AMENDING ARTICLE VI (RULES OF CONSTRUCTION; DEFINITION) AND ARTICLE VII (APPLICATION FEES) OF CHAPTER 375 (USDO) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO NECESSARY AMENDMENTS

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

Section 1. Article VI of Chapter 375 of the Code of the City of Albany is hereby amended to read as follows:

Section 2. Article VII of Chapter 375 of the code of the City of Albany is hereby amended to read as follows:

Section 3. This Ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 10.32.21 to the Planning, Economic Development and Land Use Committee for further consideration

Council member Kimbrough noticed the introduction of Ordinance 11.32.21 as follows, which was held for further consideration:

ORDINANCE 11.32.21

AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO AUMAND RESTORATIONS, LLC OF 948 BROADWAY (Tax Map Parcel Number 65.16-1-32)

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

Section 1. It is hereby ordered and directed that all the right, title, and interest of the City of Albany in and to the 0.02± acre parcel at 948 Broadway (Tax Map Parcel Number 65.16-1-32), be sold at private sale pursuant to the provisions of Local Law No. 4 of 1984 to Aumand Restorations, LLC.

SUBJECT to all easements, restrictions and rights of way of record.

Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes.

Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.

Section 4. This ordinance shall take effect immediately.

President Pro Tem Kimbrough referred Ordinance 11.32.21 to the Finance, Assessment and Taxation Committee for further consideration.

President Pro Tem Kimbrough held the remaining pending ordinances on the agenda for further consideration.

CONSIDERATION OF RESOLUTIONS

Council Member Robinson noticed the introduction of resolution 29.32.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 29.32.21R

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RECOGNIZING THE REVEREND WILLIE JAMES STOVALL, SR.'S COMMITMENT AND CONTRIBUTIONS TO THE PEOPLE OF THE CITY OF ALBANY AND CONGRATULATING HIM ON HIS 32ND ANNIVERSARY AS PASTOR OF THE MOUNT OLIVE SOUTHERN MISSIONARY BAPTIST CHURCH

WHEREAS, born and raised in Memphis, Tennessee, Pastor Willie James Stovall, Sr. confessed hope in Christ at the Springfield Missionary Baptist Church in Southaven, Mississippi in 1957; and

WHEREAS, after graduating from high school and serving in the U.S. Army until 1968, Pastor Stovall returned to Memphis and later owned and operated three businesses: a grocery store, a gas station, and an auto repair shop. In 1976, he began preaching the Word of God with his initial sermon in December of that year. In the 1980s, Pastor Stovall, along with his brother, built Mount Zion 144 people Memphis, TN. In 1982 he became Pastor at the Field Missionary Baptist Church in Earle, Arkansas. He would later serve as Pastor at the Philadelphia Missionary Baptist Church in Crawfordville, Arkansas; and

WHEREAS, in 1989, Pastor Stovall moved to Albany, New York when he was elected Pastor at the Mount Olive Southern Missionary Baptist Church. He was instrumental in constructing a new church building in 1992 to accommodate the congregation which had doubled in participation since his arrival three years prior; and

WHEREAS, Pastor Stovall has been an active participant in many organizations and activities which benefit his congregation, including serving as moderator of the Hudson River Frontier Missionary Baptist Association for two terms; serving as a member of the National Baptist Convention; and as a member of the Public Relations Board and the New Body Committee of the Empire State Missionary Baptist Convention; and

WHEREAS, in April of 1999, the Common Council of the City of Albany recognized the commitment and contributions of Pastor Stovall to the people of the City of Albany and congratulated him on his tenth anniversary as Pastor of the Mount Olive Southern Missionary Baptist Church and on his many achievements; and

WHEREAS, among his accomplishments, Pastor Stovall:

- Organized and was elected Chairman of African American Clergy United for Empowerment in 1997, 2011, and 2013
- Was elected Area #3 Vice President Empire Missionary Baptist Convention, Inc. 2000 – 2011
- Organized New Hope Baptist Church, Troy, New York
- Organized New Jerusalem Mission Baptist Church, Troy, New York ~ 2012
- Increased ministerial staff increased in 2012
- Was certified Chaplain by the CICA International Chaplaincy Association on September 25, 2015
- Was selected as a committee member for the Albany Downtown Revitalization Initiative Project in 2018;

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Albany recognizes Pastor Stovall's commitment and contribution to the people of the City of Albany and congratulates him on his 32nd anniversary as Pastor of Mount Olive Southern Missionary Baptist Church.

*Council Member(s) Robinson spoke on the resolution prior to passage.

There being no further discussion, President Ellis called for a voice vote thereon and the resolution was adopted:

Resolution 29.32.21R was co-sponsored by Council Members Love, Anane, Balarin, Conti, Doeschate, Fahey, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, O'Brien

Affirmative – Anane, Balarin, Conti, Doesschate Fahey, Flynn, Farrell Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O’Brien, and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Doesschate noticed the introduction of resolution 30.32.21R as follows, which was introduced and adopted by a voice vote:

Council Member Doesschate noticed the introduction of the resolution, which was introduced and adopted by a voice vote:

RESOLUTION 30.32.21R

RESOLUTION OF THE COMMON COUNCIL HONORING THE LIFE AND LEGACY OF DEACONESS LELA M. WALLACE AND HER CONTRIBUTIONS TO THE CITY OF ALBANY AND ITS CHILDREN

WHEREAS, on February 16, 2021, the beloved Deaconess Lela Mae Wallace peacefully passed away after a long illness, with her family surrounding her; and

WHEREAS, Lela Wallace was born September 26, 1937 in Shannon, Mississippi to Estellar Mae and Homie Lee Wallace and was the sister of Mary L. Pointer, Minnie B. Catoe, and Aubrey C. Wallace who predeceased her, and is survived by her sister, Mother Margaret McCann of Wilborn’s Temple COGIC, four adopted sisters, Diane Jones, Sandra Thorpe, Elizabeth Brown and Rubye Johnson; four nieces and five nephews: Mechelle, Jenelle, Renee, Carla, Tyrone, Jermaine, Tymus, Jai, and Dennis Edney and many beautiful great-nieces and great-nephews and their children, cousins, colleagues, students, and friends who will always remember her extraordinarily loving and spiritual life; and

WHEREAS, Lela Wallace was educated in Albany Public Schools then went on to SUNY Cobleskill to earn her Associate of Applied Science Degree in Early Childhood Education and Nursing degree that set her up for a lifetime of caring for the health, welfare, happiness, education, and overall wellbeing of every child that crossed her path, initially at Saratoga’s Hawley Home for Children and then at Albany’s St. Catherine’s Center for Children where she served for 10 years; and

WHEREAS. Miss Wallace then continued her education at Russell Sage College where she earned a Bachelor of Science Degree in Elementary Education in 1974 and began student teaching at Albany Public School 19 (now known as New Scotland Elementary School) in her junior year; and

WHEREAS, Miss Wallace remained at School 19 for 28 years and was one of the most beloved first grade teachers of all time both because of her incredible love and patience and certitude that all children can learn, and because of her ability to reassure nervous parents dropping their child off on the first day of school that their children would be okay, safe, loved, and would actually learn!; and

WHEREAS, many have spoken of the incredible gifts she shared, with one former student speaking for all of her students by saying “She always showed all of us love. Her patience and love for children lives on through those of us who were lucky to have her as a teacher, ” and another person poignantly speaking for us all lucky enough to have known her when he wrote on her tribute wall “She

taught us mostly how it should feel to be loved in this world. For that, she will be missed greatly, and never will her memory be forgotten by all those that loved and adored her;” and

WHEREAS, while teaching at School 19, Miss Wallace achieved a Master of Science Degree from SUNY Albany and was recognized by ‘Who’s Who Among America’s Teachers’ as one of the Best Teachers in America 1998, 2000, 2004-2005, 2005-2006. She also received numerous other awards including NYS Congress of Parents and Teachers Inc. Certificate of Appreciation for her “dedication to the welfare of children and youth”; and

WHEREAS, upon her arrival in Albany, along with her parents and grandparents, Lela M. Wallace united with the Metropolitan New Testament Mission Baptist Church where she became a Deaconess at the age of 14 and continued to serve the church, it’s members, and community throughout her life; and

WHEREAS, as Co-Founder and President of the Home Mission 1972-1989 Deaconess Wallace led in her ministry to feed the hungry, and visit the aged, the sick, and the shut in, and as a Sunday School teacher and choir member she was dedicated to the stirring of all minds and hearts; and

WHEREAS, during her time teaching, volunteering, and winning awards, Lela tended to her other passions of scrapbooking, collecting cookbooks and recipes, and bowling in her church’s league; and

WHEREAS, Deaconess Lela M. Wallace, adored and beloved teacher, sister, aunt, colleague, friend, has left us an impeccable legacy for us to appreciate;

NOW THEREFORE, BE IT RESOLVED, the City of Albany's Common Council pauses to commend and honor the memory of Deaconess Lela M. Wallace and her many contributions to our community, the lives of the children she taught, the people she mentored and the boundless unconditional love she shared with all who knew her; and

BE IT FINALLY RESOLVED, that the Common Council of the City of Albany sends their condolences to her extended family and that the Clerk of the Common Council is to send an embossed copy of this resolution to her sister, Mother Margaret McCann.

*Council Member(s) Doesschate, Fahey, Johnson, and Robinson spoke on the resolution prior to passage.

There being no further discussion, President Ellis called for a voice vote thereon and the resolution was adopted:

Resolution 30.32.21R was co-sponsored by Council Members Fahey, Love, Robinson, Anane, Balarin, Conti, Flynn, Farrell, Frederick, Hoey, Igoe, Johnson, Kimbrough, O'Brien

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Frederick noticed the introduction of resolution 31.32.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 31.32.21R

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
HONORING THE LIFE AND LEGACY OF STEPHEN EARL WINTERS**

WHEREAS, Stephen Earl Winters, 63, died suddenly on January 1, 2021. Stephen was born on September 24th, 1957 in Texas to Claude and Evelyn “Carol” Winters and raised in Oklahoma and North Carolina. Stephen attended the University at Albany as an undergraduate and graduate student, receiving a graduate degree in Social Work; and

WHEREAS, Stephen was a proud veteran of the U.S. Air Force. He was the past Executive Director at both the Interfaith Partnership for the Homeless and the South End Improvement Corporation. He was a past president of the Second Avenue Neighborhood Association. He volunteered with many community organizations including the Honest Weight Food Co-op, the League of Women Voters, United Tenants of Albany, FOCUS Churches, MOMS Demand Action, and many others. He was a Dachshund enthusiast and an officer of several dog clubs including the Stewards Club of Upstate NY; and

WHEREAS, in both his professional career and volunteer service, Stephen was an advocate for the less fortunate and underserved people in our community. Stephen was not afraid of getting into “good trouble,” raising concerns with elected officials or asking business owners to step up to the plate for those in need. Stephen was the consummate example of a “community activist” and his work has left a lasting impact on our community; and

NOW THEREFORE, BE IT RESOLVED, the Common Council of the City of Albany honors the life and legacy of Stephen Earl Winters and sends its condolences to his family

*Council member(s) Frederick, Conti, and Fahey spoke on the Resolution prior to passage.

Resolution 31.32.21R was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Hoey, Igoe, Johnson, Kimbrough, O’Brien, Robinson

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was ADOPTED:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 14 Negative 0 Abstain 0

Council Member Farrell on behalf of the Committee on Finance, Taxation, and Assessment noticed Resolution 13.21.21R as follows, asked passage and a roll call vote thereon:

RESOLUTION NUMBER 13.21.21R

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE ELIMINATION OF ONE FULL TIME POSITION AND THE CREATION OF ANOTHER, WHICH WILL AFFECT A SALARY TOTAL FOR THE 2021 BUDGET (OFFICE OF HUMAN RESOURCES)

WHEREAS, section 603(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary rate or salary total that occurs outside of those described in the duly adopted budget requires the approval of the Common Council; and

WHEREAS, the Human Resources Office has requested the elimination of the Human Resources Generalist 1 position, which will result in the following changes:

Eliminate	HR Generalist 1	A.1430.1600.7000	(\$36,419)
Decrease	(Salaries)	A.1430.1600.7000	\$36,419
	(Contingency)	A.1900.7448	\$22,287
		Total	\$58,706

and

WHEREAS, the Human Resources Office has also requested that such Human Resources Generalist 1 position be replaced with the creation of a Human Resources Generalist 3 position, which will result in the following changes:

Create	HR Generalist 3	A.1430.1600.7000	\$57,122
Increase	(Salaries)	A.1430.1600.7000	\$57,122
	(Social Security)	A.1430.1600.7801	\$1,584
		Total	\$58,706

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the elimination of Human Resources Generalist 1 position and the creation of one additional Human Resources Generalist 3 position within the Office of Human Resources for the 2021 budget year.

Council Member Kimbrough noticed the introduction of Resolution as follows, which was held for further consideration:

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was ADOPTED:

Affirmative – Anane, Balarin, Conti, Doesschate Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, Robinson

Affirmative 14 Negative 0 Abstain 0

Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use 18.22.21R as follows, asked passage and a roll call vote thereon:

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.

*Council member(s) Conti spoke on the Resolution prior to passage.

Resolution 18.32.21R was co-sponsored by Council Members Anane and Balarin

There being no further discussion, President Ellis called for a roll call vote thereon and the Resolution was ADOPTED:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Affirmative 14 Negative 0 Abstain 0

Council Member Kimbrough on behalf of the Committee on Public Safety noticed Resolution 26.31.21R as amended and asked passage and a roll call vote thereon:

RESOLUTION NUMBER 26.31.21R (As Amended 03/15/2021)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY IN RELATION TO EXECUTIVE ORDER 203

WHEREAS, on June 12, 2020, Governor Andrew Cuomo issued Executive Order No. 203; and

WHEREAS, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the

public’s confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others; and

WHEREAS, these deaths in the City of Albany include those of Jessie Davis, and Donald “Dontay” Ivy and the harm against Ellazar Williams; and

WHEREAS, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, The Mayor of the City of Albany called for a Collaborative which consisted of community members and stakeholders and such Collaborative first met on August 18, 2020, and met weekly on Tuesdays from 6:00 pm to 7:30 pm; and

WHEREAS, several working groups were formed to review current practices and review and propose reforms of policing in the City of Albany. Such working groups were: Policies, Standard Operative Procedures, and General Orders Working Group; Civilian Oversight Working Group; Community Safety and Restorative Justice Working Group; and Recruitment, Retention, Promotion, Training, and Officer Development Working Group; and

WHEREAS, the Collaborative produced several reports and presented a draft plan on February 1, 2021, with subsequent amendments presented later (“The Plan or Plan”) to the Common Council of the City of Albany, and the Public Safety Committee met on, February 8th, March 2nd, and March 8th, 2021 to receive public comment on the proposed plan by the collaborative; and

WHEREAS, Black Lives Matter; and

NOW, THEREFORE, BE IT RESOLVED, The Common Council realizes that there are changes that need to be made at all levels of government and implore our federal, state, and county legislative partners to implement the appropriate legislation for meaningful change; and

BE IT, FURTHER RESOLVED, that the Common Council adopts the followings statement outlining its intent and recommendation:

Limitations

The Common Council recognizes that due to the Covid-19 Pandemic that community participation was limited to online, not-in person meetings, but recognizes the efforts made the Mayor’s administration to the best of its ability to have an open and transparent process.

Timeline

As proposed by the plan, “A” action items have a timeline of 12-18 months. It is preferred that the timeline state that 0-18 months as some of those action items can be completed sooner than 12 months.

Accountability

The Plan fails to state any measure of accountability on the implementation. It is recommended that the Mayor and the Chief of Police provide the Common Council a quarterly report on the status of the implementation of all the action items as well as any changes/ amendments made to the plan.

Actions by the Common Council

The plan fails to acknowledge changes that the Common Council has already undertaken in the last year such as the adoption of:

Ordinance 12.62.20 - Requiring Field Sobriety Tests in Spanish

Local Law H of 2020 – Requires the Police Department to gather the statistics of race, age, ethnicity, and gender of those who are involved in traffic violations, or who are patted down, frisked, and searched among other things.

Local Law I of 2020 – Establishes a body-worn camera policy in our code.

Local Law J of 2020 – Reforms the Community Police Review Board.

Items Absent from The Plan

The Plan fails to implement an overall vision on police reform to make all working group finding and recommendations come together.

As noted by community members, section 1 of the plan summarizes key recommendations of the working groups but fails to acknowledge that the City of Albany will also take into consideration other recommendation from the workgroups found in Section 2 of the plan as part of the overall police reform.

As recognized by some members of the Policies, Standard Operative Procedures, and General Orders Working Group, their recommendations have portions missing. Any amendments to the plan should be sent to the Common Council for further review.

BE IT, FINALLY RESOLVED, that the Common Council adopts the plan as presented from the Mayor’s Office with the understanding that this is the initial step in making formative changes to policing and recognizing that the plan is not fully comprehensive and there will be various recommendations and changes to current policy that will continue to be identified and will result in additional legislation.

*Council member(s) Kimbrough, Doesschate, Anane, Balarin, Frederick, Hoey, Johnson, and Council President Ellis spoke on the Resolution prior to passage.

Resolution 26.31.21(MC) was co-sponsored by Anane

There being no further discussion, President Ellis called for a voice vote thereon and the Resolution was ADOPTED:

Affirmative – Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, O’Brien, and Robinson

Negative- Doesschate

Affirmative 13 Negative 1 Abstain 0

President Pro Tem Kimbrough held the pending Resolutions on the agenda for further consideration

MISCELLANEOUS BUSINESS

Council member Hoey discussed Local Law E of 2021 and asked for someone to get the laws regarding operating vehicles without proper insurance and having them at the Public Safety Committee meeting when Local Law E of 2021 is discussed.

ADJOURNMENT:

There being no further business, President Pro Tem Kimbrough made a motion to adjourn, which was duly seconded and adopted by unanimous voice vote. President Ellis declared the meeting adjourned at approximate 8:47pm.

DANIELLE GILLESPIE

City Clerk of the City of Albany and Clerk to the Common Council