



MINUTES OF A REGULAR MEETING MONDAY, May 18, 2020

The Common Council was convened at 7:01 p.m. and was called to order by President Ellis. This meeting was held following Governor Cuomo's executive order 202.1 and Mayor Sheehan's emergency order 315-1b. It live streamed on Facebook <https://www.facebook.com/albany.commoncouncil/> using Zoom as the meeting platform.

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

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

President Pro Tem Kimbrough led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

- 1) Vincent Rigosu, 13 Beach Ave, Albany, New York 12203 (Economic Issues)
- 2) Marlon Anderson, 214 Lark Street, Albany, NY (Economic Reality)
- 3) Alana Klein, 29 Glenwood St, Albany, NY 12208 (Public Comment & Blood Plasma)
- 4) Max Randolph, 103 Sherman Street, Albany, NY (Flower Vase Stolen at Mother's Grave)
- 5) Catina Mavodones, 59 Melrose Avenue, Albany, NY (FDA Authorized COVID Convalescent Plasma & Support Ordinance 3.22.20 *As Amended*)
- 6) Michele Maserjian, 8 Hall Place (Housing)
- 7) Steve Burke, 11 Clarendon Rd, Albany, NY (Support Override the Mayor's veto of Ordinance 3.31.20 (MC) *As Amended* & Amending USDO)

*The following individual submitted an email relating to the override of the Mayor's veto of Ordinance 3.31.20 (MC) *As Amended*:

John Wright, Principal Attorney at Bartlett, Pontiff, Stewart & Rhodes, P.C. P.O. Box 2168, Glens Falls, New York 12801

There being no further speakers, the President declared the Public Comment Period closed.

Approval of Minutes

President Pro Tem Kimbrough made a motion to approve the minutes of May 4, 2020 meeting of the Council, which was duly seconded, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

Council Member Frederick noticed Local Law F– 2020 (**A LOCAL LAW AMENDING ARTICLE XVI (EXEMPTION FOR FIRST-TIME HOMEBUYERS) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY**) which had been previously introduced, requested passage and a roll call vote thereon.

* Council Member Frederick spoke on the Local Law prior to passage.

Local Law F– 2020 was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Farrell, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O’Brien, and Robinson

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

The Local Law passed by the following vote of all Council Members present voting in favor thereof:

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

Affirmative 15 Negative 0 Abstain 0

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

CONSIDERATION OF VETOES

Council Member Kimbrough made a motion to reconsider of Ordinance 3.31.20 (MC) *As Amended* (AN ORDINANCE AMENDING PARAGRAPH B (PERMITTED USE TABLE) AND PARAGRAPH C (USE-SPECIFIC STANDARDS) OF PART 3 (USE REGULATIONS) OF CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT) AND PART 6 (DEFINITIONS AND RULES OF CONSTRUCTION) OF CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE OPERATION OF BLOOD PLASMA CENTERS), which was seconded by Council Member Farrell and asked for a roll call vote thereon:

* Council Member O’Brien, Anane and Balarin spoke on the Ordinance prior to passage.

Ordinance 3.31.20 (MC) As Amended was co-sponsored by Council Members Anane, Johnson, Love

The veto was overridden by the following vote of all the Council Members duly elected voting.

Ten votes are necessary to override a mayoral veto:

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

Affirmative 15 Negative 0 Abstain 0

REPORTS OF STANDING COMMITTEES:

Finance, Assessment and Taxation: Council Member Farrell reported that the committee met on May 14, 2020 at 5:00PM to review Local Law F-2020, Ordinance 4.41.20, Ordinance 5.41.20, and Resolution 29.41.20R. Local Law F-2020, Ordinance 4.41.20, Ordinance 5.41.20, and Resolution 29.41.20R was moved out of committee with a positive recommendation. The Committee also had a discussion with Budget Director Mike Wheeler, Treasurer Darius Shahinfar, and Mayor’s Chief of Staff David Galin on our financial issues.

Public Safety: President Pro Tem Kimbrough will meet on May 20, 2020 at 5:30PM to get an update on gun violence and Albany Police Department response to calls for services during NYS on PAUSE. The Committee will discuss concerns over barbeque grill and firepits use during the upcoming months. The Committee will also discuss complaints of fireworks.

Housing and Community Development: Council Member Doesschate reported the Committee met May 11, 2020 at 5:00PM to have a discussion with the Albany Community Development Agency (ADCA) Director Faye Andrews on CARES Act (Federal Coronavirus Aid, Relief and Economic Security Act) funding. The Committee also received an update from Steven Longo, Executive Director for the Albany Housing Authority (AHA) regarding the impact of the COVID-19 Pandemic on the AHA and its residents.

CONSIDERATION OF ORDINANCES

Council Member Love noticed Ordinance 4.41.20 (**ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO THE LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. OF CITY-OWNED LAND AT 69 SHERMAN STREET (Tax Map Parcel No. 65.72-3-24)**) which had been previously introduced, requested passage and a roll call vote thereon.

Ordinance 4.41.20 was co-sponsored by Council Members O’Brien

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

The Ordinance passed by the following vote of all Council Members present voting in favor thereof:

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

Affirmative 15 Negative 0 Abstain 0

Council Member Love noticed Ordinance 5.41.20 (**AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO 39 COLUMBIA STREET ASSOC., LLC OF CITY OWNED LAND ALONG VAN TROMP STREET**) which had been previously introduced, requested passage and a roll call vote thereon.

* Council Member Anane and Balarin spoke on the Ordinance prior to passage.

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

The Ordinance passed by the following vote of all Council Members present voting in favor thereof:

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

Affirmative 15 Negative 0 Abstain 0

President Pro Tem Kimbrough held the remaining Ordinances on the pending agenda.

CONSIDERATION OF RESOLUTIONS

Council Member Anane noticed Resolution 44.52.20R as follows, which was held for further consideration:

Resolution Number 44.52.20R

RESOLUTION CALLING ON THE NEW YORK STATE LEGISLATURE TO PASS, AND THE GOVERNOR TO SIGN, LEGISLATION AUTOMATICALLY CLASSIFYING THE DEATHS OF ALL MUNICIPAL EMPLOYEES WHO DIED FROM COVID-19 AS LINE-OF-DUTY DEATHS

WHEREAS, in 2019 and 2020, the disease COVID-19, also known as coronavirus, spread rapidly worldwide, leading the President of the United States to declare a national emergency, and the World Health Organization to declare the outbreak a global pandemic; and

WHEREAS, the impact of the coronavirus pandemic has been especially severe in the State of New York, which reports over 300,000 confirmed COVID-19 cases and 19,425

confirmed COVID-19 fatalities as of May 6, 2020, constitute roughly one-third of all confirmed coronavirus cases in the United States; and

WHEREAS, the City of Albany is reliant on a municipal workforce that totals hundreds of employees; and

WHEREAS, many municipal workers in the City of Albany, including police officers, firefighters, code enforcement officers and laborers, have occupational responsibilities that preclude them from working from home; and

WHEREAS, during the COVID-19 pandemic, these workers face heightened risk and exposure to COVID-19 as a result of the nature of their positions; and

WHEREAS, a line-of-duty death refers to a death that resulted from and is attributable to one's employment; and

WHEREAS, for individuals whose death is classified as a line-of-duty death, additional benefits are provided to their surviving family, such as increased pension and health coverage; and

WHEREAS, as of April 29, 2020, a municipal employee's death as a result of COVID-19 is only classified as a line-of-duty death if the employee's surviving family members can prove that the individual more likely than not contracted COVID-19 while on duty; and

WHEREAS, classifying the deaths of all municipal workers who have died from COVID-19 as line of duty deaths would also serve as a form of recognition for the sacrifices of municipal employees who lost their lives while serving their government and community during a time of crisis;

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council calls on the New York State Legislature to pass, and the Governor to sign, legislation automatically classifying the deaths of all municipal employees who died from COVID-19 as line-of-duty-deaths. The Clerk is to send a copy of this resolution to our Assembly and State Senate representatives, the Governor of the State of New York, and the Comptroller of the State of New York.

Council Member Farrell noticed Resolution 29.41.20R (**A RESOLUTION AFFIRMING THE MANNER IN WHICH THE CITY OF ALBANY GRANTS REAL PROPERTY TAX EXEMPTIONS TO VETERANS AND CALLING ON THE STATE LEGISLATURE TO BRING THE STATE-WIDE VETERANS' EXEMPTIONS IN LINE WITH THE CITY OF ALBANY'S PRACTICE**) which had been previously introduced, requested passage and a roll call vote thereon.

* Council Members Farrell and Anane spoke on the Resolution prior to passage.

Resolution 29.41.20R was co-sponsored by Council Members Anane, Balarin, Conti, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, Love, O'Brien, and Robinson

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

The Resolution passed by the following vote of all Council Members present voting in favor thereof:

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

Affirmative 15 Negative 0 Abstain 0

President Pro Tem Kimbrough held the remaining Resolutions on the pending agenda.

COMMON COUNCIL COMMENTS

Common Member Conti (Youth in Government & Congratulated Seniors on Graduating)
Council Member Igoe (Will Not Attend Committee Meeting Due to Medical Procedure)
Council Member Anane (Congrats Council Member Frederick on Introduction of Local Law F)
Council Member Kimbrough (Congrats to Council Member Frederick)

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 approximately 8:10 pm.

MICHELE ANDRE

Senior Legislative Aide to the Council