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RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST AND PENALTIES REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST AND PENALTIES

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 BUDGET
Council Member introduced the following:

LOCAL LAW D – 2020

A LOCAL LAW AMENDING ARTICLE III (SENIOR CITIZEN TAX EXEMPTION) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE FILING OF APPLICATION FOR EXEMPTION

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Section 333.37 (Filing of Application on or before taxable status date) of Chapter 333 (Taxation) of the Code of the City of Albany is amended to read as follows:

At least 60 days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted exemption pursuant to this article on the latest completed assessment roll an application form and a notice that such application must be filed on or before the taxable status date and be approved in order for the exemption to be granted in accordance with Real Property Tax Law § 467(8). In the case of the 2020 Assessment Roll, the deadline to submit applications shall be the last day to pay school taxes without interest in accordance with RPTL § 467(8-a).

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

Approved as to form this 11th day of February, 2020.

____________________
Corporation Counsel
TO: Danielle Gillespie, City Clerk  
FROM: Sarah Valis, Assistant Corporation Counsel  
RE: Supporting Memorandum  
DATE: February 20, 2020

Local Law D - 2020

TITLE: A LOCAL LAW AMENDING ARTICLE III (SENIOR CITIZEN TAX EXEMPTION) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE FILING OF APPLICATION FOR EXEMPTION

PURPOSE: Technical correction

SUMMARY: The Enhanced STAR and the Senior Citizens exemption used to be filed for on the same application. Due to recent changes to the enhanced STAR program, Tax and Finance now checks the 1040 of owners who have registered and automatically grants the exemption to those who qualify. There have been numerous articles in the papers, segments on the news and other newsletters notifying property owners of the changes and they all highlight how once you have registered for STAR, there is no more paper work. This is resulting in individuals not realizing that the Senior Citizen exemption, although formerly applied for on the same form as the Enhanced STAR, is a separate exemption that still needs to have annual renewals, and as a result the City has seen an unbelievably low number of applications received halfway through the filing period (less than 20%).

JUSTIFICATION: This change to City Code § 333.37 will provide the City with additional time to reach out to property owners who have failed to submit their application thus far, and provided the community with further education regarding the need to file annually for the Senior Citizen exemption. Further, it will allow individuals who qualify more time to file for the exemption.

FISCAL IMPACT: TBD

EFFECTIVE DATE: Upon final passage, public hearing and filing with the Secretary of State.
Council Member introduced the following:

Resolution Number 15.31.20R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO A TITLE CHANGE FOR CERTAIN POSITIONS FOR THE 2020 BUDGET (Treasurer)

WHEREAS, Section 604(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 must be consented to by the Common Council; and

WHEREAS, the Treasurer’s Office has requested amendments to the 2020 budget to reflect a title change from “Administrative Assistant” to “Account Clerk”.

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 the current position of Administrative Assistant and the creation of one additional position of Account Clerk within the Office of the Treasurer for the 2020 budget year.
TO: Danielle Gillespie, City Clerk  
FROM: Sarah Valis, Assistant Corporation Counsel  
RE: Supporting Memorandum  
DATE: February 18, 2020

RESOLUTION NUMBER 15.31.20R

TITLE:  
RESOLUTION OF THE COMMON COUNCIL CONSENTING TO A TITLE CHANGE FOR CERTAIN POSITIONS FOR THE 2020 BUDGET (Treasurer)

GENERAL PURPOSE OF LEGISLATION:  
Consent by the Common Council to amend the budget by eliminating one Administrative Assistant position and creating one additional Account Clerk position to be paid at the same rate of $36,050.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:  
Pursuant to the City Charter the Council must consent to the transfer of funds that effect salary totals which occur outside of the Budget process.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE:  
As soon as possible to allow for the position to be created and filled.

FISCAL IMPACT(S):  
N/A
Councilmember Anane introduced the following:

RESOLUTION NUMBER 16.31.20R

A RESOLUTION OF THE CITY OF ALBANY’S COMMON COUNCIL CALLING ON THE NEW YORK STATE LEGISLATURE AND NEW YORK STATE GOVERNOR ANDREW M. CUOMO TO PROVIDE THE CITY OF ALBANY WITH ITS FAIR SHARE OF UNRESTRICTED STATE AID AND MAKE PERMANENT $12.5 MILLION IN CAPITAL CITY FUNDING

WHEREAS, as the Capital City of the State of New York, 64% of the property in the City of Albany is tax-exempt and nearly 60% of that property is owned by the State; and

WHEREAS, thousands of State employees commute into the City of Albany from nearby municipalities daily, the City hosts tens of thousands of visitors coming to engage in business with State entities and the City is called upon to assist in facilitating a number of rallies, marches and protests by outside interest groups visiting the New York State Capitol each year; and

WHEREAS, the City of Albany receives less state aid as a percentage of its municipal general fund than every other large upstate city, with the exception of Schenectady; and

WHEREAS, the City of Albany receives less Aid and Incentives for Municipalities (AIM) per capita than any other city with at least 48,000 residents, and that disparity only grows when you take into account the City of Albany’s daytime population; and

WHEREAS, the lack of adequate state aid results in significant strain on vital services that both residents and visitors of the City of Albany rely on every day; and

WHEREAS, the cost of maintaining roads and sidewalks, providing police, fire and emergency services to State entities falls upon the tax paying residents of our Capital City; and

WHEREAS, the City of Albany is constantly striving to make financially prudent choices which can been seen in the fact that the City’s budget has only increased by a total of 0.48% over the last 5 years; and

WHEREAS, Albany certainly has its fair share of challenges, evidenced by the fact that the City is home to more than 1,000 vacant buildings, a median household income of less than $44,000 and a poverty rate of almost 25%; and

WHEREAS, these challenges along with the inequity in state funding puts the City in a precarious position most of which is no result of the City’s own actions but rather the fact that the Capital City is forced to return to the Legislature and Governor year after year to ask for what is rightfully owed to those who call Albany home; and

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany hereby calls upon the New York State Legislature and Governor Andrew M. Cuomo to pay the State’s fair share by including in the 2021 State Budget, $12.5 million in Capital City
Funding for the City of Albany; and

**BE IT FURTHER RESOLVED,** the Common Council of the City of Albany wishes to see this Capital City Funding be made permanent, so Albany residents are relieved of their unfair and inequitable tax burdens while also allowing Albany the chance to continue to flourish and thrive as the Capital of the State of New York.
To: Danielle Gillespie
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 10, 2020

RESOLUTION NUMBER 16.31.20R

TITLE: A RESOLUTION OF THE CITY OF ALBANY’S COMMON COUNCIL CALLING ON THE NEW YORK STATE LEGISLATURE AND NEW YORK STATE GOVERNOR ANDREW M. CUOMO TO PROVIDE THE CITY OF ALBANY WITH ITS FAIR SHARE OF UNRESTRICTED STATE AID AND MAKE PERMANENT $12.5 MILLION IN CAPITAL CITY FUNDING

GENERAL PURPOSE OF LEGISLATION: To implore the New York State Legislature and Governor to make permanent $12.5 million in Capital City Funding for the City of Albany.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:
This resolution seeks to make permanent $12.5 million in Capital City Funding from the State of New York. It is no secret that the City of Albany receives less state aid than almost all other upstate cities, which is coupled with the fact that roughly 64% of the City’s assessed property value is tax exempt due to state ownership. The City of Albany also must maintain roads and sidewalks, as well as provide services for public employees who commute into the city from nearby suburbs daily. Albany has remained committed to making financially prudent choices and has engaged in measures to ensure the City is making the most of every tax-payer dollar. However, the fact is, there is a structural deficit in AIM funding and having to wait on baited breathe to find out whether or not the funding will be included in the budget yearly makes long-term planning and investment extremely difficult. The added tax burden on residents is also an unfortunate side effect of the amount of tax-exempt property situated within City limits. Thus, the Common Council finds it necessary that the State pay its fair share and make permanent the $12.5 million in Capital City Funding.

FISCAL IMPACT(S): If this funding is not provided by the State there will be large financial ramifications for the City of Albany.
Resolution Number 17.31.20R

RESOLUTION DESIGNATING THE MAYOR TO ACT AS OFFICIAL REPRESENTATIVE OF THE CITY OF ALBANY TO SUBMIT ANNUALLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE “ANNUAL ACTION PLAN”, AND AMENDMENTS THERETO, UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Congress of the United States established the Community Development Block Grant Program; and

WHEREAS, the Albany Community Development Agency has prepared the Annual Action Plan for the Community Development Block Grant Program Year 46 in accord with a public hearing held on ______________; and

WHEREAS, pursuant to Sec. 570.303 of the Code of Federal Regulations, a grantee of a Community Development Block Grant must certify that its governing body has duly adopted a resolution authorizing a person to act as its official representative to submit the Action Plan, amendments thereto, and all understandings and assurances thereto, and directing authorizing the persons identified as the official representative of the grantee to act in connection with the submission of the Action Plan and to provide such additional information as may be required.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorized the Mayor to act as the City of Albany’s official representative for the purpose of submitting the said Action Plan and all necessary understandings, assurances and amendments thereto.

BE IT FURTHER RESOLVED, that the Common Council hereby adopts the Action Plan for the Community Development Block Grant Program Year 46 as prepared by the Albany Community Development Agency, together with and including all understandings and assurances required thereby.
Albany Common Council
Memorandum in Support of Legislation

To: Danielle Gillespie, City Clerk
From: Sarah Valis, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 20, 2020

RESOLUTION NUMBER 17.31.20R

TITLE: RESOLUTION DESIGNATING THE MAYOR TO ACT AS OFFICIAL REPRESENTATIVE OF THE CITY OF ALBANY TO SUBMIT ANNUALLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE “ANNUAL ACTION PLAN”, AND AMENDMENTS THERETO, UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

GENERAL PURPOSE OF LEGISLATION:
Allows the City to submit requests for the release of funds to the Department of Housing and Urban Development.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:
This is a U.S. Department of Housing and Urban Development Requirement.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE:
Time frame set forth by Common Council.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable): N/A
SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable): N/A

FISCAL IMPACT(S): Release of funding for upcoming program year.
Resolution Number 18.31.20R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
RATIFYING AN AGREEMENT OF ADJUSTMENT AND RELEASE OF OWNER AND
AUTHORIZING THE MAYOR TO EXECUTE CLOSING PAPERS ON BEHALF OF
THE CITY OF ALBANY

WHEREAS, the State of New York has taken or is in the process of taking a portion of
the land owned by the City of Albany through the process of eminent domain for the purposes of
improving 900 New Scotland Avenue and south of Route 85;

WHEREAS, the State has offered to pay the City of Albany the sum of $4,900.00 for a
portion of the City of Albany’s property along 900 New Scotland Avenue and south of Route 85
as depicted on Map 496, as Parcel(s) 597, 598, 599, 600;

WHEREAS, an agreement to accept said money (an Agreement of Adjustment and
Release of Owner has been signed on behalf of the City of Albany by Marisa Franchini;

WHEREAS, the Common Council of the City of Albany is the governing body of the
City of Albany; and

WHEREAS, the Common Council is meeting on this third day of March, 2020, after
proper notice to consider this matter; and

WHEREAS, the City of Albany wishes to ratify the Agreement of Adjustment and
Release of Owner and to appoint Kathy Sheehan, Mayor, as the person to execute closing papers
on behalf of the City of Albany;

NOW, THEREFORE, BE IT RESOLVED, that the Agreement of Adjustment and
Release of Owner is hereby accepted and ratified;

BE IT FURTHER RESOLVED, that Kathy Sheehan is hereby designated as the person
to execute any and all closing papers with regard to this transfer to the state of New York.
Albany Common Council
Memorandum in Support of Legislation

To: Danielle Gillespie, City Clerk
From: Sarah Valis, Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 20, 2020

RESOLUTION NUMBER 18.31.20R

TITLE: RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RATIFYING AN AGREEMENT OF ADJUSTMENT AND RELEASE OF OWNER AND AUTHORIZING THE MAYOR TO EXECUTE CLOSING PAPERS ON BEHALF OF THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION: To allow the City to receive payment in the sum of $4,900.00 for a portion of the City of Albany’s property along 900 New Scotland Avenue and south of Route 85 as depicted on Map 496, as Parcel(s) 597, 598, 599, 600 as it relates to the NYS Thruway project.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW: This is a NYS Department of Transportation requirement for the release of the payment.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE: As soon as possible to receive funds and allow the Department of Transportation to close the project.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable): N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable): Receipt of $4,900 for transfer of four lots to New York State via eminent domain.

FISCAL IMPACT(S): See above.
Council Member introduced the following:

Resolution Number 19.31.20R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RATIFYING AN AGREEMENT OF ADJUSTMENT AND RELEASE OF OWNER AND AUTHORIZING THE MAYOR TO EXECUTE CLOSING PAPERS ON BEHALF OF THE CITY OF ALBANY

WHEREAS, the State of New York has taken or is in the process of taking a portion of the land owned by the City of Albany through the process of eminent domain for the purposes of improving Rear 2 O’Neil Road;

WHEREAS, the State has offered to pay the City of Albany the sum of $1,100.00 for a portion of the City of Albany’s property along Rear 2 O’Neil Road as depicted on Map 495, as Parcel 596;

WHEREAS, an agreement to accept said money (an Agreement of Adjustment and Release of Owner has been signed on behalf of the City of Albany by Marisa Franchini;

WHEREAS, the Common Council of the City of Albany is the governing body of the City of Albany; and

WHEREAS, the Common Council is meeting on this third day of March, 2020, after proper notice to consider this matter; and

WHEREAS, the City of Albany wishes to ratify the Agreement of Adjustment and Release of Owner and to appoint Kathy Sheehan, Mayor, as the person to execute closing papers on behalf of the City of Albany;

NOW, THEREFORE, BE IT RESOLVED, that the Agreement of Adjustment and Release of Owner is hereby accepted and ratified;

BE IT FURTHER RESOLVED, that Kathy Sheehan is hereby designated as the person to execute any and all closing papers with regard to this transfer to the state of New York.
Albany Common Council
Memorandum in Support of Legislation

To: Danielle Gillespie, City Clerk
From: Sarah Valis, Assistant Corporation Counsel
Re: Request for Common Council Legislation
    Supporting Memorandum
Date: February 20, 2020

RESOLUTION NUMBER 19.31.20R

TITLE: RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
RATIFYING AN AGREEMENT OF ADJUSTMENT AND RELEASE OF OWNER AND
AUTHORIZING THE MAYOR TO EXECUTE CLOSING PAPERS ON BEHALF OF THE
CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION: To allow the City to receive payment in the sum
of $1,100.00 for a portion of the City of Albany’s property along Rear 2 O’Neil Road as depicted
on Map 495, as Parcel 596; as it relates to the NYS Thruway project.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW: This is a
NYS Department of Transportation requirement for the release of the payment.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE: As
soon as possible to receive funds and allow the Department of Transportation to close the project.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable): N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable): Receipt of
$1,100 for transfer of one lot to New York State via eminent domain.

FISCAL IMPACT(S): See above.
Councilmember Balarin introduced the following:

**RESOLUTION NUMBER 20.31.20R**

A RESOLUTION REAFFIRMING THE CITY OF ALBANY AS A WELCOMING CITY, EXPRESSING THE COMMON COUNCIL’S SOLIDARITY WITH ALBANY’S SOUTH ASIAN COMMUNITY REGARDLESS OF RELIGION AND CASTE, AND OPPOSING INDIA’S NATIONAL REGISTER OF CITIZENS AND CITIZENSHIP AMENDMENT ACT

WHEREAS, it has come to the attention of the Common Council of the City of Albany that on December 11, 2019, the Indian parliament passed the Citizenship Amendment Act (CAA), which for the first time uses religion as a criterion for Indian citizenship; and

WHEREAS, the City of Albany is a welcoming city and expresses solidarity with Albany’s South Asian community regardless of religion and caste; and

WHEREAS, while the far-right Bharatiya Janata Party (BJP) government of Indian Prime Minister Narendra Modi claims this policy will help refugees fleeing religious persecution from neighboring countries, it blatantly discriminates against citizenship based on religion, favoring Hindu, Buddhist, Jain, Parsi, and Christian immigrants, while excluding Muslim people; and

WHEREAS, in August 2019, Modi’s right-wing government forced nearly two million people in the northeastern state of Assam to prove with documentary evidence their Indian citizenship or face detention at mass prisons and detention camps that the Indian government has begun to build and fill; and

WHEREAS, a nationwide expansion of this policy could strip hundreds of millions of people (disproportionately Muslim, oppressed castes, women, indigenous and LGBTQ+ communities) of their citizenship rights with no option to be re-naturalized; and

WHEREAS, protests in India against this policy have faced repression including reports that in the state of Uttar Pradesh, police fatally fired live ammunition at demonstrators and arrested thousands, and reports that police destroyed Muslim homes in several cities; and

WHEREAS, in September 2019, President Trump hosted a “Howdy Modi” rally in Houston alongside Prime Minister Modi, in what the Washington Post ominously reported was, “the largest-ever gathering with a foreign political leader in the United States,” demonstrating the growing threat of far-right racist politicians building solidarity around the world; and

WHEREAS, the Modi regime’s repressive and racist policies are inconsistent with Albany’s values as a city that welcomes South Asian communities of all castes and religions; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council expresses solidarity with the City of Albany’s South Asian community regardless of religion and caste, acknowledging the pain and hurt felt by members of the South Asian community as a result of these policies, and opposing the National Register of Citizens and the Citizenship Amendment Act in India; and
BE IT FURTHER RESOLVED, that the Common Council calls for the Parliament of India to uphold the Indian constitution by repealing the Citizenship Amendment Act, stopping the National Register of Citizens, and taking steps towards helping refugees by ratifying various UN treaties on refugees; and

BE IT FURTHER RESOLVED, that the Common Council urges our congressional delegation to support legislation censuring the Republic of India for adopting these policies; and be it further

BE IT FURTHER RESOLVED, that the City Clerk hereby is requested to forward a suitably engrossed copy to City of Albany’s Congressional Delegation on behalf of the entire Common Council.
RESOLUTION NUMBER 20.31.20R

TITLE: A RESOLUTION REAFFIRMING THE CITY OF ALBANY AS A WELCOMING CITY, EXPRESSING THE COMMON COUNCIL’S SOLIDARITY WITH ALBANY’S SOUTH ASIAN COMMUNITY REGARDLESS OF RELIGION AND CASTE, AND OPPOSING INDIA’S NATIONAL REGISTER OF CITIZENS AND CITIZENSHIP AMENDMENT ACT.

GENERAL PURPOSE OF LEGISLATION: The far-right Bharatiya Janata Party (BJP) government of Indian Prime Minister Narendra Modi has been criticized for promoting violence against religious minorities, silencing dissent, and actions which earned Prime Minister Modi the nickname “the Butcher of Gujarat,” a reference to the 2002 massacre - when Narendra Modi was Chief Minister of the state of Gujarat - in which an estimated 2,000 people were killed in anti-Muslim violence, and many Muslim women were targeted for rape and other forms of sexual violence.

On December 11, 2019, the Indian parliament passed the Citizenship Amendment Act (CAA), which the BJP government claims will help refugees fleeing religious persecution from neighboring countries, but which blatantly discriminates, allowing the National Register of Citizens (NRC) to be updated for citizenship based on religion, favoring Hindu, Buddhist, Jain, Parsi, and Christian immigrants, while excluding Muslim people. The CAA is the first instance of religion being used as a criterion for Indian citizenship.

In August 2019, Modi’s right-wing government published an updated NRC, requiring nearly two million people in the northeastern state of Assam to prove with documentary evidence their Indian citizenship or face detention at mass prisons and detention camps that the Indian government has begun to build and fill. Most Indians lack documentation such as birth certificates to prove citizenship, and a nationwide expansion of the NRC could strip hundreds of millions of people (disproportionately Muslim, oppressed castes, women, indigenous and LGBT communities) left out of the CAA of their citizenship rights with no option to be re-naturalized.

This resolution reaffirms Albany as a welcoming city and expresses solidarity with Albany’s South Asian community regardless of religion and caste. It also resolves that the Common Council opposes the National Register of Citizens and the Citizenship Amendment Act in India, and finds these policies to be discriminatory to Muslims, oppressed castes, women, indigenous, and LGBT people. This resolution urges the Parliament of India to uphold the Indian constitution by repealing the Citizenship Amendment Act, and to stop the National Register of Citizens, and take steps towards helping refugees by ratifying various UN treaties on refugees.

FISCAL IMPACT(S): NONE
Council Member Conti offered the following:

RESOLUTION NUMBER 21.31.20R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST AND PENALTIES REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST AND PENALTIES

WHEREAS, property taxes due on the property located at 286-288 Lark Street (Tax Map #76.31-2-75) by Precise Fiscal Intermediary Services LLC, the owner of record of said property, have not been remitted in a timely manner; and

WHEREAS, such delinquency is due in part to the inadvertent provision of a 2018 property tax paid receipt dated December 29, 2017 provided the owner of said property at the time remaining 2017 liabilities were being paid as part of a property ownership transfer: and

WHEREAS, as the result of such receipt, the property owner was under the impression that 2018 property tax liabilities had been satisfied; and

WHEREAS, subsequent notification of property tax payment delinquencies were not timely received by the property owner due to ownership records that were not timely updated to reflect the property transfer that occurred at the close of 2017, resulting in late payment notifications being sent to the prior owner; and

WHEREAS, the current property owner has only recently become aware of the delinquency in payment of the 2018 property tax as a result of notification from the Albany County Division of Finance of the delinquency and accrued interest and penalty liabilities; and

WHEREAS, the delinquency occurred through no fault of the current property owner, who is otherwise current on a timely basis for the payment of property taxes for the years 2019 and 2020; and

WHEREAS, Section 1182 of the New York State Real Property Tax Law (RPTL) authorizes that if the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; provided, however, that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing; and

WHEREAS, the Common Council of the City of Albany, as the municipal corporation affected, consents to the remission of interest as it pertains to the 2018 property taxes which were due to the City of Albany for the property located at 286-288 Lark Street on or before January 31, 2018 and that would otherwise have been remitted from February 1 through and including
February 28, 2018; and

**WHEREAS**, the Common Council requests that the Albany County Legislature, as the governing body of the tax district, pass legislation authorizing the appropriate County Officials to permit the cancellation of any interest imposed by law to which the City is lawfully entitled regarding the payment of the 2018 property taxes for the property located at 286-288 Lark Street which were otherwise due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany, as the municipal corporation affected, consents to the remission of interest as it pertains to the 2018 property taxes which were due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018 by Precise Fiscal Intermediary Services LLC, the owner of record for the property located at 286-288 Lark Street; and

**BE IT FURTHER RESOLVED**, that the Common Council requests that the Albany County Legislature, as the governing body of the tax district, pass legislation authorizing the appropriate County officials to permit the cancellation of any interest imposed by law to which the City is lawfully entitled regarding the payment of the 2018 property taxes which were due to the City of Albany on or before January 31, 2018 and that are remitted from February 1 through and including February 28, 2018 for said property.
Resolution Number: 21.31.20R

Sponsor(s): Council Member Conti

Title: RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE REMISSION OF INTEREST REGARDING 2018 PROPERTY TAXES DUE TO THE CITY OF ALBANY FOR THE PROPERTY LOCATED AT 286-288 LARK STREET AND REQUESTING THAT THE ALBANY COUNTY LEGISLATURE PASS LEGISLATION AUTHORIZING SUCH CANCELLATION OF INTEREST

Purpose: To consent to the remission of fines and penalties associated with an inadvertent delinquent 2018 property tax bill.

Summary: Consents to the remission of penalties and fees associated with a delinquent 2018 property tax bill for 286-288 Lark Street in accordance with Sec. 1182 of the NYS Real Property Tax Law (RPTL).

Justification: As recited in the text of the subject resolution, the delinquent payment of the 2018 tax bill occurred through discrepancies that were no fault of the property owner, who is otherwise in good standing with regard to payment of property taxes. The NYS RPTL provides a mechanism to remedy such situations, in this case it would be appropriate and justified to relieve the owner of penalties and fees associated with a late payment. The emission of penalties and fees does not affect the payment of the property tax liability which is payable in full.

Fiscal Impact: Estimated interest and penalties subject to remission would be under $2,000.

Effective Date: Immediate
RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 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 City’s Budget Director has requested amendments to the 2020 proposed budget as follows:

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<thead>
<tr>
<th>From:</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.9000.7861</td>
<td>$48,628</td>
<td>Health Insurance - Retirees</td>
</tr>
<tr>
<td>A.9000.7810</td>
<td>$48,628</td>
<td>NYS Employee Retirement</td>
</tr>
<tr>
<td>To:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.3620.7000</td>
<td>$77,525</td>
<td>Salaries</td>
</tr>
<tr>
<td>A.3620.7801</td>
<td>$5,931</td>
<td>Social Security</td>
</tr>
<tr>
<td>A.3620.7199</td>
<td>$13,800</td>
<td>Overtime</td>
</tr>
</tbody>
</table>

WHEREAS, a union contract settlement agreement has been reached between the City of Albany and the Civil Service Employees Association, Inc., AFSCME, Local 1000, AFL-CIO affecting the salaries and benefits of the City’s Buildings and Code Inspectors for the term of January 1, 2020 to December 31, 2021.

WHEREAS, the new salary totals result from a negotiated 12% increase for the period of January 1, 2020 through December 31, 2020 and an additional 2% increase to take place for the period of January 1, 2021 through December 31, 2021.

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 above for the 2020 budget year.
TO: Danielle Gillespie, City Clerk
FROM: Jared Pellerin, Assistant Corporation Counsel
RE: Supporting Memorandum
DATE: February 12, 2020

RESOLUTION NUMBER 22.31.20R

TITLE
RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY, SOCIAL SECURITY, AND OVERTIME FOR CERTAIN POSITIONS IN THE BUILDINGS AND REGULATORY COMPLIANCE DEPARTMENT FOR THE 2020 BUDGET

GENERAL PURPOSE OF LEGISLATION
Budget transfer to reflect agreement made during union negotiations.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW
Pursuant to the City Charter the Council must consent to the transfer of funds that effect salary totals which occur outside of the Budget process.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE
N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)
N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)
N/A

FISCAL IMPACT(S)
Increase in salaries for Buildings and Codes Inspectors.