

**ALBANY COMMON COUNCIL  
MINUTES OF A REGULAR MEETING**

**Monday, August 15, 2011**

The Common Council was convened at 7:00 p.m. and was called to order by Council President McLaughlin.

The roll being called, the following answered to their names: Council Members Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

Also present was the following staff: Regina Goodbee, Patrick Jordan, Barbara Samel and Cashawna Parker.

Council Member Calsolaro led the Pledge of Allegiance.

**Council Member Conti asked and received majority consent to add Resolution Numbers 61.82.11R, 62.82.11R, 63.82.11R and 64.82.11R to the pending agenda, which was approved by unanimous voice vote.**

**Council Member Conti made a motion to change the order of business for the consideration of Resolution Number 61.82.11R(MC), which was approved by unanimous voice vote.**

Council Members Smith, Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, and Sano introduced the following, which was approved:

**Resolution Number 61.82.11R(MC)**

**RESOLUTION OF THE COMMON COUNCIL IN HONOR OF THE 2011 ALBANY  
LATINFEST AND IN RECOGNITION OF ITS SIXTEENTH ANNIVERSARY**

**WHEREAS**, the Albany Latin Festival Association, a volunteer organization of committed community residents, will produce the 16<sup>th</sup> annual Albany LATINFEST, which will take place at the Washington Park on August 27, 2011; and

**WHEREAS**, 2011 marks LATINFEST's sixteenth anniversary year; and

**WHEREAS**, the 2010 U. S. Census indicates that Albany County's Hispanic population rose 64.3 percent during the last decade and that the Capital Region's Hispanic population grew nearly 80 percent, almost twice the national growth rate of 43 per cent; and

**WHEREAS**, Latinos contribute in many positive ways to the Capital Region community; and

**WHEREAS**, the Albany Latin Festival Association has established the Albany LATINFEST as a formal and free performance event celebrating the Hispanic culture through presentations of local, regional and international Hispanic performing artists. LATINFEST is promoted and produced as a family oriented event and has become the single largest event of its kind in the Capital Region attracting close to 12,000 community members; and

**WHEREAS**, by presenting the event at Washington Park, LATINFEST will bring a formal cultural presentation to residents who have been under served by traditional cultural institutions and those least able to attend other regional cultural events due to prohibitive costs and transportation barriers. While this event is designed as a celebration of the cultural contributions of the most rapidly expanding ethnic group in Albany (i.e. Hispanics), the ideal location provides the opportunity for all members of the surrounding Albany community to share in an event that promises to enhance their appreciation of the city's expanding cultural diversity; and

**WHEREAS**, the Albany Latin Festival Association (ALFA) was founded during the summer of 1996 by Pedro Diaz, Vicente Alfonso, Carlos Maldonado, and other committed community members to feature the music and dance representative of the Hispanic American cultural traditions that have contributed to the contemporary performing arts; and

**WHEREAS**, LATINFEST has a commitment to young people and to supporting educational opportunity, the Albany Latin Festival Association is proud to present the 2011 Albany Latin Festival Scholarship through its partnership with the 4th Annual ¡Sí, Se Puede! Latino Youth Conference presented by the Capital District YMCA.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany hereby congratulates the festival organizers and supporters of this event, thanks them for their efforts and wishes them success with the 2011 LATINFEST.

*\*Note: Council Members Smith and Konev spoke on this resolution prior to passage.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

### **PUBLIC COMMENT PERIOD**

1. Michael Asencio, Pres. Of Albany Latinfest Association (2011 Latinfest)
2. Mike Guidice, 105 Grand St., Albany, NY 12202 (Support Ordinance 49.82.11)
3. Vincent Riguso, 13 Beach Ave., Albany, NY 12203 (Ordinance 49.82.11, Taxes & Community Policing)
4. Dylan Boyce, 98 Grand St., Albany, NY 12202 (Support Ordinance 49.82.11)
5. Daniel Plaat, 187 Elk St., Albany, NY 12210 (Crime & Data)

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

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Council Member Conti made a motion to approve the minutes of the August 1, 2011 meetings, which was approved by unanimous voice vote.

## **CONSIDERATION OF LOCAL LAWS**

**The Local Laws on the pending agenda were held at the request of Council Member Conti.**

## **REPORTS OF STANDING COMMITTEES**

**General Services, Health and Environment** – Council Member O’Brien stated that the Committee met on August 3, 2011 with Water Commissioner Bob Cross and DGS Commissioner Nick D’Antonio for a mid-year review of their respective 2011 budgets. The Water Department is within budget but the Department of General Services is over budget for snow removal. Mr. O’Brien also reported that the department will be holding a press conference on August 16, 2011 on single stream recycling.

**Law, Buildings and Code enforcement** - Council Member Igoe stated that the Committee met prior to tonight’s meeting to clarify amendments to Ordinance 49.41.11 relating to shopping carts and that the ordinance was reported out favorably with amendment.

**Parks, Recreation and Family Services** – Council Member Rosenzweig stated that the Committee would be meeting on August 16, 2011 at 5:30 p.m. with the Department of Parks and Recreation for a mid-year review of their 2011 budget. He encouraged Council Members to forward any concerns or questions to the recreation department.

## **CONSIDERATION OF ORDINANCES**

Council Member Calsolaro and Co-Sponsors Conti, Freeman, Golby, Konev, and O’Brien introduced the following, which was referred to the Law, Buildings and Code Enforcement Committee:

### **Ordinance Number 49.82.11**

#### **AN ORDINANCE AMENDING ARTICLE XIA (VACANT BUILDING REGISTRY) OF CHAPTER 133 (BUILDING CONSTRUCTION) IN RELATION TO THE POSTING OF A BOND FOR VACANT BUILDINGS AND OTHER ISSUES RELATED TO THE REGISTRY**

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

**Section 1. Section 133-78.1 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

#### **ARTICLE XIA. Vacant Building Registry**

##### **§ 133-78.1. Legislative findings and purpose.**

It is the finding of the Common Council that buildings which remain vacant, with access points boarded over, are unsightly, unsafe and have a negative effect on their surroundings. This is particularly troublesome in residential and neighborhood commercial neighborhoods. Unfortunately, many buildings, once boarded, remain that way for many years. The purpose of this article is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to speed the rehabilitation of the vacant properties. Buildings which become vacant due to foreclosure or that are vacant when foreclosed upon present additional problems. It is often more difficult to secure compliance with this Chapter when the property is owned by a bank or mortgage company located in another jurisdiction. As the number of

vacant properties increases due to foreclosure, the maintenance of vacant buildings becomes even more critical.

**Section 2. Section 133-78.3 of Chapter 133 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 133-78.3. Vacant building registration.**

A. The owner shall register with the Department of Fire, Emergency and Building Services not later than 30 days after any building in the City becomes a vacant building or not later than 30 days after being notified by the Department of Fire, Emergency and Building Services of the requirement to register. The Department may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

B. The registration shall be submitted on forms provided by the Department of Fire, Emergency and Building Services and shall include the following information supplied by the owner:

- (1) A description of the premises.
- (2) The names, ~~and~~ addresses, and telephone numbers of the owner or owners.
- (3) If the owner does not reside in Albany County or any adjoining county, the name, ~~and~~ address, and telephone number of any third party with whom the owner has entered into a contract or agreement for property management.
- (4) The names and addresses of all known lienholders and all other parties with an ownership interest in the building.
- (5) A telephone number where a responsible party can be reached at all times during business and nonbusiness hours.
- (6) A vacant building plan as described in Subsection [C](#).
- (7) Provide a cash bond acceptable to the Enforcement Officer, in the sum of not less than ten thousand (\$10,000) dollars, to secure the continued maintenance of the property throughout its vacancy and reimburse the city for any expenses incurred in inspecting or securing such building when such building is not in compliance with this Article.
- (8) Incomplete registration forms will not be accepted and if the lack of compliance results in non-registration of the building, the owner can be prosecuted under Section 133-80.

C. The owner shall submit a vacant building plan which must meet the approval of the Enforcement Officer. The plan, at a minimum, must contain information from one of the following three choices for the property:

- (1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition and the proposed timeframe for any necessary permitting through the City.
- (2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided in § [133-68](#), if applicable, along with the procedure that will be used to monitor and maintain the property in accordance with Article XI, and a statement of the reasons why the building will be left vacant.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property. The rehabilitation plan shall not exceed 365 days, unless the Enforcement Officer grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. If no building permit has been applied for within the 365 days, the Enforcement Officer will send written notification to the owner of the lack of compliance with § 133-78.3(c). The owner will be required to file an extension with a revised rehabilitation plan and reasons for non-compliance. Failure to respond may result in prosecution as prescribed in § 133-80. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with § [133-68](#), if applicable, during the rehabilitation.

D. The Enforcement Officer shall provide the owner with a written referral to the Department of Development and Planning for information outlining programs available which may be useful in developing the owner's rehabilitation plan.

E. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Enforcement Officer.

F. The owner and subsequent owners shall keep the building secured and safe and the building and ground properly maintained and monitored as provided in Article XI of this chapter.

G. Failure of the owner or any subsequent owners to maintain the building and premises that result in remedial action taken by the City shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law.

H. The new owners shall register or re-register the vacant building with the Enforcement Officer within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Enforcement Officer.

I. Vacant building fees.

(1) The owner of a vacant building shall pay an annual fee as set forth in Subsection [I\(2\)](#) for the period the building remains a vacant building. The fee shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the City in monitoring and inspecting the vacant building site. Vacant building registration fees will not be accepted until an application is complete.

(2) The first-year annual fee shall be \$250 and shall be paid no later than 30 days after the building becomes vacant. If the fee is not paid within 30 days of being due, the owner shall be subject to prosecution as prescribed in § [133-80](#). If a plan is extended beyond 365 days, subsequent annual fees shall be paid as follows:

(a) For the second year that the building remains vacant: \$500;

(b) For the third year that the building remains vacant: \$1,000;

(c) For the fourth year that the building remains vacant: \$1,500; and

(d) For the fifth, and each succeeding year, that the building remains vacant: \$2,000.

(3) The fee shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit. The fee shall be prorated, and a refund may be issued if the building is no longer deemed vacant under the provisions of this article within 180 days of its registry.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than 30 days after the transfer of ownership, and subsequent annual fees shall be due on the new anniversary date.

J. The Enforcement Officer shall include in the file any property-specific engineering reports, written statements from community organizations, other interested parties or citizens regarding the condition, history, problems, status or blighting influence of a vacant building.

**Section 3. This ordinance shall take effect immediately.**

Council Member Golby and Co-sponsors Conti, Calsolaro, Igoe, Konev and O'Brien moved to amend Ordinance 49.41.10 and, as amended, asked for passage and a roll call vote thereon:

**Ordinance Number 49.41.10 (as amended)**

**AN ORDINANCE AMENDING CHAPTER 255 (PEACE AND GOOD ORDER) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW ARTICLE X ENTITLED "ABANDONED SHOPPING CARTS"**

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

**Section 1. Chapter 255 of the Code of the City of Albany is hereby amended by adding thereto a new Article X to read as follows:**

**ARTICLE X  
SHOPPING CARTS**

**Section 255-63. Findings and Legislative Intent.** The City of Albany finds that abandoned shopping carts in the city create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic and create a public nuisance. The accumulation of abandoned carts, sometimes wrecked and/or dismantled on public and private property tends to create conditions that reduce property values, and promote blight and deterioration and result in a public nuisance. This article is intended to insure that measures are taken by the owners of shopping carts to prevent the removal of the shopping carts from the owner's premises, to make removal of the cart a violation of this Code and to facilitate the retrieval of abandoned shopping carts in a manner consistent with State law.

**Section 255-64. Removal and Abandonment of Shopping Carts.**

A. It shall be unlawful for any person to remove a shopping cart from the premises of the owner of such shopping cart without the written consent of the owner or of his agent, servant or employee given at the time of such removal. For the purpose of this section, the premises shall include the entire parking area set aside by the owner, or on behalf of the owner, for the parking of cars.

B. It shall be unlawful for any person to be in possession of any shopping cart or laundry cart that has been removed from the premises or the parking area of a retail establishment, with the intent to temporarily or permanently deprive the owner or retailer of possession of the cart.

C. It shall be unlawful for any person to leave or abandon any shopping cart on any sidewalk, right of way, street or other property within the City other than the property of the owner of the shopping cart.

**Section 255-65. Responsibilities of Shopping Cart Owners within the City.**

A. Every owner of shopping carts, as defined by this article, shall mark or cause the cart to be marked and identified conspicuously with a notice that provides, at a minimum, the following: "Property of (name of owner). If found, please call (telephone number)."

B. All owners, regardless of the number of carts owned, shall ensure that all carts are secured from public access after close of business hours.

C. Signs shall be placed prominently and conspicuously at all locations where shopping carts are stored that provide a notice of substantially the following information: "REMOVAL OF SHOPPING CARTS FROM THESE PREMISES IS PROHIBITED BY CITY ORDINANCE AND WILL SUBJECT THE VIOLATOR TO A FINE UP TO \$100."

D. Specific physical measures shall be implemented to prevent cart removal from the business premises. These measures may include, but are not limited to, disabling devices on all carts, posts, fences or other physical measures, posting of a security guard to deter and stop customers who attempt to remove carts from the business premises, security deposits required for use of all carts, or the rental or sale of utility carts that can be temporarily or permanently used for transport of purchases.

**Section 2. This ordinance shall take effect [~~immediately~~] ninety (90) days after passage.**

*Note: Council Members Golby and Konev spoke on this ordinance prior to passage.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

**The remaining Ordinances on the pending agenda were held at the request of Council Member Conti.**

**CONSIDERATION OF RESOLUTIONS**

Council Member Smith offered the following, asked for passage and a roll call vote thereon:

**Resolution Number 56.82.11R**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH PEACOCK, INC. FOR THE USE AND OCCUPANCY OF A PORTION OF THE CITY RIGHT-OF-WAY ADJACENT TO 795 BROADWAY**

**BE IT RESOLVED**, that the Mayor be and is hereby authorized and empowered to execute and enter into a license agreement with Peacock, Inc. for the use and occupancy of a portion of the City right-of-way adjacent to 795 Broadway for the installation of fencing and landscaping, upon such terms and conditions as approved by the Corporation Counsel and the involved City agencies together with such other forms, documents and agreements necessary to amend, supplement and/or effectuate the same.

*Resolution Number 56.82.11R was Co-Sponsored by Council Member Freeman.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Sano offered the following, asked for passage and a roll call vote thereon:

**Resolution Number 57.82.11R**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH COLUMBIA 425 NS, LLC FOR THE USE AND OCCUPANCY OF PORTIONS OF THE CITY RIGHT-OF-WAYS ADJACENT TO 413 NEW SCOTLAND AVENUE**

**BE IT RESOLVED**, that the Mayor be and is hereby authorized and empowered to execute and enter into a license agreement with Columbia 425 NC, LLC for the use and occupancy of a portion of the City right-of-ways adjacent to 413 New Scotland Avenue for the installation of fencing, upon such terms and conditions as approved by the Corporation Counsel and the involved City agencies together with such other forms, documents and agreements necessary to amend, supplement and/or effectuate the same.

*Resolution Number 57.82.11R was Co-Sponsored by Council Member Freeman.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Konev and Co-Sponsors Calsolaro, Freeman, Golby and Sano offered the following, asked for passage and a roll call vote thereon:



**Resolution Number 58.82.11R**

**RESOLUTION CALLING ON THE OBAMA ADMINISTRATION TO INCREASE FUEL EFFICIENCY STANDARDS FOR NEW CARS AND TRUCKS TO 60 MPG BY 2025**

**WHEREAS**, America’s deepening dependence on oil puts our economy, environment, and national security at risk. Recently, the Obama administration set a goal of cutting America’s reliance on imported oil one-third by 2025. A new phase of fuel efficiency and auto pollution standards is an opportunity to build on the landmark vehicle efficiency standards that were finalized in May of 2010 and meet this goal; and

**WHEREAS**, Americans understand that cleaner, more fuel-efficient vehicles can help break our addiction to oil and overwhelmingly support strong fuel efficiency and pollution standards. In a nationwide poll, the Mellman Group found that 83 percent of likely voters favored a 60 miles-per-gallon standard—even if it would add \$3,000 to the price of a new vehicle—when they learned they would recoup their investment within four years. Strong standards maximize consumer savings at the pump. Under a 60-mile-per gallon standard, consumers could save as much as \$7,500 over the life of a new vehicle, even after accounting for the cost of new technology; and

**WHEREAS**, strong fuel efficiency standards will decrease the average new vehicle’s global warming pollution 6 percent a year. Strong standards will save Americans \$370 billion through 2030 when compared to the weakest standards and reduce U.S. oil consumption 2.5 million barrels of oil per day in 2030 – almost 50 percent more than we currently import from the Persian Gulf. The weakest standard would send much of those net savings to foreign countries and extend our dependence on oil; and

**WHEREAS**, these fuel efficiency standards will determine the efficiency of cars and trucks our children will drive decades from now. If we had these standards in place today, New York would reduce oil consumption by 2.8 billion gallons, cut global warming pollution by 27 million metric tons of CO2, and save New Yorkers more than \$11 billion on gas this year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany hereby urges the Obama Administration to increase fuel efficiency standards for new cars and trucks to 60 miles per gallon by 2025, the strongest standard under consideration and reduce global warming pollution 6 percent annually by 2025.

*Resolution Number 58.82.11R was Co-Sponsored by Council Member Smith.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Calsolaro and Co-Sponsors Council Members Bailey, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith, asked for passage and a roll call vote thereon:

**Resolution Number 59.82.11R**

**RESOLUTION OF THE COMMON COUNCIL SUPPORTING THE CITY OF ALBANY IN ITS APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR GRANT FUNDING UNDER THE HISTORIC PROPERTY PRESERVATION AND PLANNING PROGRAM**

**WHEREAS**, the City of Albany Division of Engineering is applying to the New York State Office of Parks, Recreation and Historic Preservation for funding under the Historic Property Preservation and Planning Program for a grant in the amount of \$303,336.76, to aid in providing structural improvements to the Whipple Truss Bridge at Normans Kill Farm; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Albany is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$303,336.76, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the City of Albany for structural improvements to be made to the historic Whipple Truss Bridge at Normans Kill Farm and, if appropriate, also grant a conservation easement/preservation covenant to the deed of the assisted property.

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Konev introduced the following, which was referred to the Law, Buildings and Code Enforcement Committee:

**Resolution Number 60.82.11R**

**RESOLUTION SUPPORTING ALBANY COUNTY RESOLUTION NO. 343 PETITIONING THE NYS LIQUOR AUTHORITY TO PROHIBIT OFF-PREMISES LIQUOR SALES IN THE COUNTY DURING CERTAIN HOURS**

**WHEREAS**, the legislative body of a county can petition the NYS Liquor Authority to limit the hours for off-premises liquor sales within a county and the Albany County Legislature has introduced Resolution No. 343 making this request; and

**WHEREAS**, the sale of liquor for off-premises use contributes to the problems caused by late night parties after the bars close as convenience stores and grocery stores that are open late supply alcohol for additional parties; and

**WHEREAS**, the State Liquor Authority can impose the prohibition after notice and public hearings within the County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany hereby supports Resolution No. 343 of the Albany County Legislature petitioning the NYS Liquor Authority to prohibit sales of alcohol for off-premise use between the hours of 2 a.m. and 12:00 p.m. on Sundays and 2 a.m. and 8 a.m. during the rest of the week.

**BE IT FURTHER RESOLVED**, that the City Clerk forward a copy of this resolution to the Albany County Legislature and to the legislative bodies of the towns and villages within Albany County.

Council Member Freeman offered the following, asked for passage and a roll call vote thereon:

**RESOLUTION NUMBER 62.82.11R (MC) (Amended prior to introduction)**

**RESOLUTION URGING NOT-FOR-PROFIT ORGANIZATIONS WHOSE MISSION IS TO PROVIDE ON-SITE SCREENINGS AND INFORMATION ON AIDS PREVENTION TO HIGH RISK POPULATIONS TO INCREASE THEIR OUTREACH EFFORTS IN THE AFRICAN-AMERICAN AND LATINO COMMUNITIES OF ALBANY**

**WHEREAS**, according to the United States Center for Disease and Control, over 680,000 people were living with the diagnosis of HIV infection in the United States; and

**WHEREAS**, the total number of people with HIV in America is believed to be over 1 million; and

**WHEREAS**, sadly, African-American and Latino-American populations together account for more than half of the total cases reported by the Center for Disease and Control as persons diagnosis with HIV infection; and

**WHEREAS**, the local not-for-profit organizations who have mobile outreach vans can help reach these groups affected and at-risk of HIV infection by using their mobile outreach vans to provide on site screenings and information on AIDS prevention in the African-American and Latino communities of Albany; and

**WHEREAS**, preventing a single case of AIDS saves taxpayers up to \$500,000 per year, and \$20,000 in medication; and

**WHEREAS**, providing on site testing from a Mobile Center will save lives and give individuals without access to health care the preventive care and counseling needed to fight HIV infection; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Albany Common Council urges local not-for-profit organizations who have mobile outreach vans to work in conjunction with the LGBT organization "In Our Own Voices," for people of color, to perform said outreach, located in Albany.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the Albany Common Council urges local not-for-profit organizations who have mobile outreach vans to use their mobile units in this

endeavor to perform outreach and AIDS testing in the African-American and Latino communities of Albany.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that a copy of said resolution be delivered by the City Clerk to the LGBT organization of "In Our Own Voices" for people of color and to the AIDS Council of Northeastern New York.

*Resolution Number 62.82.11R(MC) was Co-Sponsored by Council Members Bailey, Calsolaro, Conti, Fahey, Golby, Konev, Sano and Smith.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member O’Brien offered the following, asked for passage and a roll call vote thereon:

**Resolution Number 63.82.11R(MC)**

**RESOLUTION OF THE COMMON COUNCIL APPOINTING CHRISTINE LASCH A MARRIAGE OFFICER PURSUANT TO ARTICLE 3 OF THE DOMESTIC RELATIONS LAW OF THE STATE OF NEW YORK**

**WHEREAS**, Article 3 of the Domestic Relations Law authorizes the governing body of a City to appoint Marriage Officers whom shall have the authority to solemnize a marriage in accordance with other applicable provisions of law and within the municipal boundaries of the City.

**NOW, THEREFORE, BE IT RESOLVED**, that Christine Lasch is hereby appointed a Marriage Officer in the City of Albany for a term of one (1) week; to wit: September 1 through and including September 7, 2011.

**BE IT FURTHER RESOLVED**, that this resolution shall be effective immediately.

*Resolution Number 63.82.11R(MC) was Co-Sponsored by Council Members Freeman and Konev.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Freeman introduced the following at the request of Common Council President McLaughlin along with Co-Sponsors Council Members Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, Rosenzweig, Sano and Smith, asked for passage and a roll call vote thereon:

**Resolution Number 64.82.11R(MC)**

**RESOLUTION CONGRATULATING THE CHURCH OF OUR LORD JESUS CHRIST OF THE APOSTOLIC FAITH, INC. AND BISHOP ELLIS ON THEIR UPCOMING CONFERENCE ON AUGUST 18-21, 2011**

**WHEREAS**, the Church of Our Lord Jesus Christ of the Apostolic Faith was organized in 1919 by Bishop Robert C. Lawson; and

**WHEREAS**, Bishop Lawson moved to New York City and began his evangelistic efforts in the Northeast and continued to grow and provide services in the United States and as far as the West Indies and West Africa; and

**WHEREAS**, the church he founded has been very influential among African-American Pentecostal churches and has given birth to several congregations. The church internationally has approximately 30,000 members in 450 churches in the United States; and

**WHEREAS**, the churches have been organized into twelve regions across the world. The entire state of New York and the Canadian provinces are under the auspices of Apostle Robert L. Sanders and is known as Region II. There are also seven dioceses with seven bishops overseeing the operations of the church within this region; and

**WHEREAS**, Region II will be having their annual conference on Albany 18-21 at the Albany Marriott. Bishop Charles Ellis, III, the Presiding Bishop of the Pentecostal Assemblies of the World will be the guest speaker at the conference. Bishop Charles H. Ellis III is the Senior Pastor of Greater Grace Temple in Detroit, Michigan. He pastors nearly 8,000 and is known as a leader “*with a heart for people.*” In July 2010, the 1.3 million-member Pentecostal Assemblies of the World (P.A.W.) elected Bishop Ellis to the office of Presiding Bishop, making him the 10<sup>th</sup> elected person to the highest position in the world’s oldest Apostolic organization. Bishop Ellis presides over the Diocese of Ghana, W. Africa. He oversees nearly 100 churches in the African nation. Bishop Ellis brings the message of God’s love to a potential 50 million viewers across the nation on “*The Word Network*” and other TV and radio outlets.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Albany Common Council congratulates the Church of Our Lord Jesus Christ of the Apostolic Faith, Apostle Sanders, Bishop Ellis and their members on their annual convention and warmly welcomes them to the Capital District.

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

Council Member Rosenzweig and Co-Sponsors Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, Sano and Smith asked for passage of RESOLUTION NUMBER 41.7211R (RESOLUTION URGING THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO RESTORE FUNDING FOR THE

ADDICTIONS CARE CENTER OF ALBANY CRISIS DETOX CENTER), which had been previously introduced.

*\*Note: Council Members Calsolaro, Bailey and Rosenzweig spoke on this resolution prior to passage.*

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 14 Negative 0 Abstain 0

**The remaining Resolutions on the pending agenda were held at the request of Council Member Conti.**

### **MISCELLANEOUS AND UNFINISHED BUSINESS**

Council Member Conti made a motion to confirm the appointment of Mr. Nala Woodard for the position of City Clerk and Clerk to the Council, which was approved by majority voice vote with Council Member Konev opposed.

*\*Note: Council President McLaughlin spoke on this motion.*

### **ADJOURNMENT**

Council Member Conti moved for adjournment.

Council President McLaughlin stated, hearing no objections, that the Council was adjourned.

A true record of the Common Council Minutes of August 15<sup>th</sup>, 2011.

CASHAWNA PARKER  
SENIOR LEGISLATIVE AIDE TO THE  
ALBANY COMMON COUNCIL