

1. Agenda For September 20, 2021 Meeting

Documents:

[21 AGENDA 0921.PDF](#)

2. Active Calendar

2.I. 5:30 PM Active Calendar

Documents:

[ACTIVE CALENDAR SEPTEMBER 20 2021.PDF](#)

3. Supporting Legislation

3.I. Support Legislation

Documents:

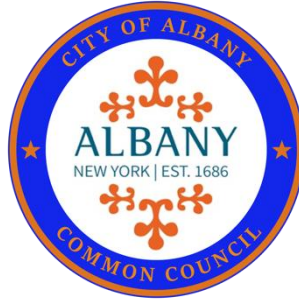
[SUPPORT LEGISLATION SEPTEMBER 20 2021.PDF](#)

4. Minutes

5. Majority Consent (MC)

6. Supporting Document

7. Public Comment



AGENDA
FOR THE REGULAR MEETING
OF THE ALBANY COMMON COUNCIL
Monday, September 20, 2021

The Common Council meets the first and third Monday of each month at 7:00 p.m. (note: when Monday falls on a legal holiday or day of special observance, the Council meeting is ordinarily moved to the following Thursday). This meeting will be held remotely pursuant to the legislation signed on September 2, 2022 by Governor Hochul allowing municipalities to resume remote meetings until January 15, 2022. If the permitting legislation is revoked, modified or expires then the meeting will be conducted in person. It will be live-streamed on [Facebook](#). If we experience any technical difficulties on Facebook, the video will be streamed to [YouTube](#). For more information on how to be heard please visit our [website](#). If you wish to speak during the meeting or provide written comments they must be received by 12noon on the day of the meeting. All comments are memorialized on our Facebook page, website, and are subject to FOIL.

ORDER OF BUSINESS:

Roll Call

Welcome

Pledge of Allegiance

Moment of Silence

Public Hearings

Public Comment Period (30 Minutes)

Approval of Minutes from Previous Meeting

Consideration of Local Laws

Communications from the Mayor, Department Heads and other City Officials

Consideration of Vetoes

Presentation of Petitions and Communications

Reports of Standing Committees

Reports of Ad Hoc Committees

Consideration of Ordinances

Consideration of Resolutions

Additional Public Comment (30 minutes)

Miscellaneous or Unfinished Business

Adjournment

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LOCAL LAWS INTRODUCED

LOCAL LAWS HELD

1. Conti LOCAL LAW F - 2019
A LOCAL LAW REPEALING CHAPTER 54 (FINANCIAL DISCLOSURE) OF THE CODE OF THE CITY OF ALBANY AND ENACTING A NEW CHAPTER 54 ENTITLED “ETHICS LAW OF THE CITY OF ALBANY” IN RELATION TO ETHICS AND FINANCIAL DISCLOSURE *Referred to Council Operations and Ethics
2. Conti LOCAL LAW A - 2021
A LOCAL LAW AMENDING SECTION 202 (CONTINUOUS TERMS) OF ARTICLE 2 (ELECTIVE OFFICERS) OF THE CHARTER OF THE CITY OF ALBANY TO PROVIDE FOR NONPARTISAN ELECTIONS *Referred to Council Operations and Ethics
3. Anane LOCAL LAW D - 2021
A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ALBANY TO PROVIDE FOR ADDITIONAL PAID SICK LEAVE * Referred to Finances, Assessment, & Taxation Committee
4. Johnson, Anane, Hoey with Support of President Ellis LOCAL LAW L – 2021
A LOCAL LAW AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO CREATING A PUBLIC SAFETY COMMISSION
Referred to Public Safety Committee
5. Kimbrough LOCAL LAW M-2021
A LOCAL LAW AMENDING ARTICLE VIIB (ALBANY POLICE DEPARTMENT INTERACTIONS) OF PART I (DEPARTMENT OF POLICE) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF PART I (ADMINISTRATIVE LEGISLATION) OF THE ALBANY CITY CODE WITH REGARD TO THE USE OF CHEMICAL WEAPONS AND KINETIC ENERGY MUNITIONS ON CIVILIAN POPULATIONS
Referred to Public Safety Committee
6. Igoe LOCAL LAW Q-2021
A LOCAL LAW AMENDING CHAPTER 255 (PEACE AND GOOD ORDER) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO UNNECESSARY AND UNUSUAL NOISES AND THE TREATMENT OF SUCH NOISES AS NUISANCES *Referred to Law, Buildings and Code Enforcement Committee*

ORDINANCES INTRODUCED

ORDINANCES HELD

1. Anane Ordinance 34.101.18

AN ORDINANCE AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF ALBANY” IN RELATION TO SPECIAL EVENT PARKING *Referred to Law, Buildings and Code Enforcement
2. Conti & Anane Ordinance 2.12.19

AN ORDINANCE AMENDING ARTICLE II (TRAFFIC REGULATIONS) OF CHAPTER 359 (VEHICLE AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO MARKINGS FOR FIRE HYDRANTS *Referred to Law, Buildings and Code Enforcement
3. Flynn Ordinance 12.62.19

AN ORDINANCE AMENDING ARTICLE III (TOW-TRUCK OWNERS AND OPERATORS) OF CHAPTER 353 (VEHICLES FOR HIRE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE MAXIMUM TOWING CHARGE PERMITTED *Referred to Law, Buildings and Code Enforcement
4. Fahey Ordinance 16.81.19 (MC)

AN ORDINANCE AMENDING CHAPTER 375-3 (USE REGULATIONS) OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) IN ORDER TO CLARIFY THE APPROVAL PROCESS FOR TELECOMMUNICATIONS INSTALLATIONS *Referred to Planning, Economic Development and Land Use
5. Fahey Ordinance 1.21.20

AN ORDINANCE REPEALING CHAPTER 303 (SIDEWALK AND OUTDOOR CAFES) OF THE CODE OF THE CITY OF ALBANY *Referred to Planning, Economic Development and Land Use
6. Kimbrough Ordinance 11.61.20 *As Amended*

AN ORDINANCE AMENDING CHAPTER 375 (CITY OF ALBANY UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PARKING LOTS IN MU-CU ZONE DISTRICTS *Referred to Planning, Economic Development and Land Use
7. Anane Ordinance 13.72.20

AN ORDINANCE AMENDING CHAPTER 345 (TREES AND VEGETATION) OF PART II OF THE CODE OF THE CITY OF ALBANY REGARDING PLANTING TREES IN THE CITY OF ALBANY *Referred to General Service, Health and Environment

8. Frederick Ordinance 15.81.20
AN ORDINANCE AMENDING PART II OF THE CODE OF THE CITY OF ALBANY (GENERAL LEGISLATION) BY ENACTING A NEW CHAPTER 325 TITLED SURVEILLANCE TECHNOLOGY *Referred to Public Safety
9. Conti Ordinance 43.112.20 (MC)
AN ORDINANCE AMENDNING ARTICLE XLVI (GENERAL PROVISIONS) OF PART 35 (BOARD OF ZONING APPEALS) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO CONFORMING THE SIZE OF THE SIZE OF THE BOARD OF ZONING APPEALS WITH THE NYS GENERAL CITY LAW)
*Referred to Planning, Economic Development and Land Use Committee
10. O'Brien Ordinance 3.12.21
AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY CLARIFYING VEGETATIVE COVERAGE IN RELATION TO NON-APPLICABILITY TO GREEN ROOFS
*Referred to Planning, Economic Development and Land Use Committee
11. Planning 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
Referred to Planning, Economic Development and Land-use Committee
12. Planning Ordinance 6.31.21
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
Referred to Planning, Economic Development and Land-use Committee
13. Planning 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
Referred to Planning, Economic Development and Land-use Committee

14. Planning 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
Referred to Planning, Economic Development and Land-use Committee
15. Planning 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
Referred to Planning, Economic Development and Land-use Committee
16. Planning 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
Referred to Planning, Economic Development and Land-use Committee
17. Love Ordinance 21.72.21
AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO NATIONAL GRID OF AN EASEMENT IN THE CITY OF ALBANY, OVER A PORTION OF CITY-OWNED PROPERTY AT CORNING RIVERFRONT PARK, FOR THE INSTALLATION OF AN ELECTRICAL SERVICE HOOKUP
* Referred to Finance, Taxation, and Assessment Committee*
18. Hoey Ordinance 22.72.21
AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT) IN RELATION TO RECREATION VEHICLES AND CAMPERS AND ALLOW THEM ON DRIVEWAYS
Referred to Planning, Economic Development, and Land Use Committee
19. Igoe Ordinance 23.82.21
AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT TO ALECIA SEARS AND BRETT SEARS OF AN EASEMENT IN THE CITY OF ALBANY OVER A PORTION OF THE CITY RIGHT-OF-WAY OF MYRTLE AVENUE FOR THE CONSTRUCTION AND MAINTENANCE OF A FENCE ADJACENT TO THEIR PROPERTY AT 40 SOUTH MANNING BOULEVARD
Referred to Finance, Assessment, Taxation Committee

20. Love Ordinance 24.82.21
AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE SALE TO HABITAT FOR HUMANITY CAPITAL DISTRICT OF 188 ORANGE STREET (Tax Map Parcel Number 65.81-6-41) *Referred to Finance, Assesment and Taxation
21. Love Ordinance 25.91.21
AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATIONS OF 77, 79, 81, 83, 83.5, AND 85 SHERMAN STREET FROM “TWO FAMILY” (R-2) TO “MIXED-USE COMMUNITY URBAN” (MU-CU) AND AMENDING THE ZONING MAP ACCORDINGLY
22. Love Ordinance 26.91.21
AN ORDINANCE AUTHORIZING THE SALE TO ROCIO VILLA OF THE CITY-OWNED PROPERTY LOCATED AT 142 LIVINGSTON AVENUE (Tax Map Parcel Number 65.74-4-13)
Referred to Finance, Assessment, Taxation Committee
23. Love Ordinance 27.91.21
AN ORDINANCE AUTHORIZING THE SALE TO KIM CHAMPION OF THE CITY-OWNED PROPERTY AT 59 FIRST STREET (Tax Map Parcel Number 65.82-1-64)
Referred to Finance, Assessment, Taxation Committee

RESOLUTIONS INTRODUCED

75.92.21R

**A RESOLUTION OF THE COMMON COUNCIL RECOGNIZING
HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE
AND CULTURE OF LATINOS IN THE UNITED STATES AND THE
IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES**

RESOLUTIONS HELD

1. Anane Resolution Number 46.62.18R (MC)

A RESOLUTION OF THE ALBANY COMMON COUNCIL IN SUPPORT OF THE CITY OF ALBANY WAIVING FEES AGAINST THE NEW YORK STATE POOR PEOPLE'S CAMPAIGN *Referred to Public Safety Committee

2. Anane Resolution Number 25.52.19R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RECOGNIZING THE IMPORTANCE OF WALKABILITY THROUGHOUT THE CITY AND CALLING ON THE ALBANY POLICE DEPARTMENT'S TRAFFIC SAFETY DIVISION TO ADOPT A POLICY ENSURING THAT PEDESTRIAN SIGNALS ARE AUTOMATICALLY INCLUDED WHENEVER TRAFFIC SIGNALS ARE CHANGED, UPGRADED OR INSTALLED"
*Referred to Planning, Economic Development and Land Use Committee

3. Love Resolution Number 42.62.19R

RESOLUTION OF THE COMMON COUNCIL RECOGNIZING THE NEED FOR A GREATER EMPHASIS ON SENIOR SERVICES THROUGHOUT THE CITY OF ALBANY

4. Anane Resolution Number 95.102.20R

RESOLUTION IN SUPPORT OF THE CITY OF ALBANY MAKING ELECTION DAY A PAID HOLIDAY *Referred to Finance, Assessment and Taxation Committee

5. Finance Resolution Number 25.31.21R

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 (DEPARTMENT OF RECREATION)
*Referred to Finance, Assessment, & Taxation Committee

6. Finance Resolution Number 41.51.21R

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO ADJUSTMENT OF SALARIES FOR CERTAIN POSITIONS IN THE 2021 BUDGET (DEPARTMENT OF LAW)
Referred to Finance, Assessment, & Taxation Committee

7. Finance Resolution Number 42.51.21R

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE CREATION OF A POSITION, WHICH WILL AFFECT A SALARY TOTAL FOR THE 2021 BUDGET (ALBANY COMMUNITY DEVELOPMENT AGENCY)

Referred to Finance, Assessment, & Taxation Committee

8. Fahey Resolution Number 47.52.21R

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY REQUESTING IMMEDIATE ACTION BY OUT STATE AND FEDERAL OFFICIALS TO UNDERTAKE A THOROUGH AND COMPLETE EVALUATION OF THE USE OF CHEMICAL GAS ON INDIVIDUALS BY LAW ENFORCEMENT AND DETERMINE WHETHER TO BAN ITS USE

Referred to Public Safety Committee

Albany Common Council Active Calendar Meeting of Monday, September 20, 2021

(NOTE: The Active Calendar is meant to indicate items which are anticipated to come up for action at the indicated Common Council meeting. Items on a committee agenda prior to the indicated Council meeting are included subject to committee action and recommendation. New items on the agenda for introduction, but which will not be acted upon on the evening of introduction is not included on the Active Calendar. This Calendar does not preclude the addition of items for action by Majority Consent of the Council. Items added by Majority Consent are those which were not available for the agenda within the required deadline but which cannot wait for the subsequent Council meeting for introduction and/or action.)

Section	Number	Agenda Number	Sponsor	Subject
Resolutions Introduced (a)	75.92.21R		Balarin & Frederick	A RESOLUTION OF THE COMMON COUNCIL RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

(a) Pending Discussions at Caucus on September 15, 2021 @5:30pm VIA ZOOM

(09/10/2021)

COMMON COUNCIL OF THE CITY OF ALBANY
SUPPORT LEGISLATION
SEPTEMBER 20, 2021

RESOLUTIONS

75.92.21R

**A RESOLUTION OF THE COMMON COUNCIL RECOGNIZING
HISPANIC HERITAGE MONTH AND CELEBRATING THE
HERITAGE AND CULTURE OF LATINOS IN THE UNITED
STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS
TO THE UNITED STATES**

Council Members Balarin and Frederick introduced the following:

RESOLUTION NUMBER 75.92.21R

A RESOLUTION OF THE COMMON COUNCIL RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

WHEREAS, from September 15, 2020 through October 15, 2020, the United States celebrates Hispanic Heritage Month; and

WHEREAS, National Hispanic Heritage Month begins on September 15 because it coincides with the national independence days for many Latin American countries, including Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica. Mexico's national independence day follows on the 16th, while Chile's occurs on the 18th, and Belize's is on the 21st; and

WHEREAS, the 2021 Theme is “Esperanza: A Celebration of Hispanic Heritage and Hope”; and

WHEREAS, as of the 2020 Census, the Bureau of the Census stated that the Hispanic or Latino population living in the United States is 62.1 million people, comprising of 18.7 percent of the total population of the United States, up from 50.5 million in the 2010 census; and

WHEREAS, the number of states with a population of 1 million or more Hispanic residents in 2019 are Arizona, California, Florida, Georgia, Illinois, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, and Texas; and

WHEREAS, the Latino population in the United States is projected to grow to 107,000,000 people by 2065, at which point the Latino population will comprise more than 24 percent of the total population of the United States; and

WHEREAS, the Latino population in the United States is currently the third largest population of Latinos worldwide, exceeding the size of the population in every Latin American and Caribbean country except Mexico and Brazil; and

WHEREAS, each year approximately 800,000 Latino citizens reach 18 years of age and become eligible to vote, a number that could grow to 1,000,000 per year, potentially adding 18,000,000 new Latino voters by 2032; and

WHEREAS, in 2018, the annual purchasing power of Hispanic Americans was an estimated \$1,700,000,000,000, which is an amount greater than the economy of all except 17 countries in the world; and

WHEREAS, there are more than 4,370,000 Hispanic-owned firms in the United States, supporting millions of employees nationwide and contributing more than \$1,700,000,000 in revenue to the economy of the United States; and

WHEREAS, Hispanic-owned businesses represent the fastest growing segment of small businesses in the United States, with Latino-owned businesses growing at more than 15 times the national rate; and

WHEREAS, Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society;

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany hereby recognizes the celebration of Hispanic Heritage Month from September 15, 2020, through October 15, 2020 and esteems the integral role of Latinos and the manifold heritages of Latinos in the economy, culture, and identity of the United States; and

BE IT FURTHER RESOLVED, that the Common Council urges the people of the City of Albany to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the contributions of Latinos to the United States.

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: September 9, 2021

SPONSOR Council Members Balarin & Frederick

RESOLUTION NUMBER 75.92.21R

TITLE

A RESOLUTION OF THE COMMON COUNCIL RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

GENERAL PURPOSE OF LEGISLATION

To recognize Hispanic Heritage Month.

FISCAL IMPACT(S)

None.