

1. Active Calendar

1.I. Active Calendar March 15, 2021

2. Supporting Legislation

2.I. Support Legislation March 15, 2021

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[SUPPORT LEGISLATION MARCH 15, 2021.PDF](#)

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COMMON COUNCIL OF THE CITY OF ALBANY
SUPPORT LEGISLATION

MARCH 15, 2021

LOCAL LAWS

D OF 2021 A LOCAL LAW AMENDING THE CHARTER OF THE CITY OF ALBANY TO PROVIDE FOR ADDITIONAL PAID SICK LEAVE

ORDINANCES

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

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

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

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

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

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

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

RESOLUTIONS

- 29.32.21R** **A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY RECOGNIZING THE REVEREND WILLIE JAMES STOVALL, SR.'S COMMITMENT AND CONTRIBUTIONS TO THE PEOPLE OF THE CITY OF ALBANY AND CONGRATULATING HIM ON HIS 32ND ANNIVERSARY AS PASTOR OF THE MOUNT OLIVE SOUTHERN MISSIONARY BAPTIST CHURCH**
- 30.32.21R** **RESOLUTION OF THE COMMON COUNCIL HONORING THE LIFE AND LEGACY OF DEACONESS LELA M. WALLACE AND HER CONTRIBUTIONS TO THE CITY OF ALBANY AND ITS CHILDREN**
- 31.32.21R** **A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY HONORING THE LIFE AND LEGACY OF STEPHEN EARL WINTERS**

Council Member Anane introduced the following:

LOCAL LAW D OF 2021

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

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

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

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

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

**APPROVED AS TO FORM THIS
MARCH 5, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Anane

LOCAL LAW D OF 2021

TITLE

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

GENERAL PURPOSE OF LEGISLATION

Because paid sick leave is one of the most effective tools to protect public health and stop the spread of illnesses, the New York State legislature passed legislation providing for paid sick benefits, paid family leave, and benefits due to disability for employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19. The state legislature and the Governor found that “[p]aid sick leave alleviates the financial pressure for the people that feel they must go to work to keep their job, curbing the spread of their illness to coworkers and commuters”. Further, “in light of the unprecedented nature of the COVID-19 outbreak and its impact on New York Workers” the state directed that municipal employees subject to a mandatory or precautionary order of quarantine or isolation must be provided with the one, 14-day paid sick leave event.

Certain City employees, including those who routinely come into contact with the public and cannot do their work from home if subject to a mandatory quarantine or isolation order, may find themselves subject to more than one mandatory quarantine or isolation period during this extended pandemic period. Further, given global climate change and increasing loss of habitat, it is likely that human contact with other uncontrollable and/or highly communicable diseases or viruses in the future may result in subsequent epidemics or pandemics making it necessary to quarantine employees in the future, to enable the continuation of City government and to protect public health.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The intent is to authorize the Mayor to provide additional periods of paid sick leave during a public health crisis or emergency where necessary to ensure the safe and continued operation of City government and to protect residents from communicable diseases, as allowed by New York State General Municipal Law § 92.

FISCAL IMPACT(S)

To be determined

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 5.32.21

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

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

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

Section 2. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 5.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 6.32.21

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

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

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

Section 2. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THI
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 6.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 7.32.21

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

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

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

Section 2. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 7.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 8.32.21

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

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

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

Section 2. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 8.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 9.32.21

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

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

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

Section 2. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 9.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee introduced the following:

ORDINANCE 10.32.21

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

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

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

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

Section 3. This Ordinance shall take effect immediately.

**APPROVED AS TO FORM AS
A PLACEHOLDER ONLY THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Fahey on behalf of the Planning, Economic Development, and Land Use Committee

ORDINANCE 10.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

This is a place holder ordinance until amendments of the USDO are completed.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

FISCAL IMPACT(S)

TBD

Council Member Kimbrough introduced the following:

ORDINANCE 11.32.21

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

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

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

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

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

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

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
5TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Brett Williams, Esq., Sr. Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR Council Member Kimbrough

ORDINANCE 11.32.21

TITLE

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

GENERAL PURPOSE OF LEGISLATION

The purchaser Aumand Restorations, LLC, is planning to acquire both the subject property and the adjoining parcel, 952 Broadway (currently owned by Beyond Fitness, LLC).

According to the purchaser, the proposed project, spanning both parcels, would rehabilitate the existing building on 952 Broadway and construct a new addition on its west end, “with sprawling patios around the entire structure. The venue would be a bar/restaurant with extensive outdoor seating and games. The small [city-owned] parcel in question which now contains a boarded up water department ‘pump station’ is integral to the overall design of the project.”

The project has not yet gone before the Technical Review Committee, but the purchaser has already reached out to the Water Department.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

The sale of City-owned property requires Common Council approval.

FISCAL IMPACT(S)

No sale price has been determined yet. The property is listed as having a full market value of \$35,011 on the 2020 assessment roll.

Council Member Love and Robinson introduced the following:

RESOLUTION NUMBER 29.32.21R

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

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

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

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

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

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

WHEREAS, among his accomplishments, Pastor Stovall:

- Organized and was elected Chairman of African American Clergy United for Empowerment in 1997, 2011, and 2013
- Was elected Area #3 Vice President Empire Missionary Baptist Convention, Inc. 2000 – 2011
- Organized New Hope Baptist Church, Troy, New York
- Organized New Jerusalem Mission Baptist Church, Troy, New York ~ 2012
- Increased ministerial staff increased in 2012

- Was certified Chaplain by the CICA International Chaplaincy Association on September 25, 2015
- Was selected as a committee member for the Albany Downtown Revitalization Initiative Project in 2018;

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

To: Danielle Gillespie, City Clerk

From: John-Raphael Pichardo, Esq., Research Counsel

Re: Common Council Legislation
Supporting Memorandum

Date: March 3, 2021

SPONSOR(S) Council Members Love and Robinson

RESOLUTION NUMBER 29.32.21R

TITLE

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

GENERAL PURPOSE OF LEGISLATION

Recognizing the Reverend Willie James Stovall, Sr.'s commitment and contributions to the people of the City of Albany and congratulating him on his 32nd anniversary as Pastor of the Mount Olive Southern Missionary Baptist Church.

FISCAL IMPACT(S)

None.

Council Members Doesschate, Fahey, Love and Robinson introduced the following:

RESOLUTION 30.32.21R

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

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

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

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

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

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

WHEREAS, many have spoken of the incredible gifts she shared, with one former student speaking for all of her students by saying "She always showed all of us love. Her patience and love for children lives on through those of us who were lucky to have her as a teacher, " and another person poignantly speaking for us all lucky enough to have known her when he wrote on her tribute wall "She taught us mostly how it should feel to be loved in this world. For that, she will be missed greatly, and never will her memory be forgotten by all those that loved and adored her;" and

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

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

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

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

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

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

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

To: Danielle Gillespie, City Clerk
From: Judy L. Doesschate, Common Council Member
Re: Common Council Legislation
Supporting Memorandum
Date: March 4, 2021

RESOLUTION 30.32.21R

TITLE

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

GENERAL PURPOSE OF LEGISLATION

To honor the life and legacy of the wonderful Deaconess Lela Mae Wallace and her contributions to the City of Albany and its children.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

The resolution express's the Council's wish to honor Miss Wallace and her life, legacy, and contributions to the City of Albany and its children. It effectuates no change to existing law.

FISCAL IMPACT(S)

None.

Council Member Frederick introduced the following:

RESOLUTION NUMBER 31.32.21R

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

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

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

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

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

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: March 5, 2021

SPONSOR(S) Council Member Frederick

RESOLUTION NUMBER 31.32.21R

TITLE

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

GENERAL PURPOSE OF LEGISLATION

Honoring the life and legacy of Stephen Earl Winters

FISCAL IMPACT(S)

None.

Council Members Balarin Conti, and Love introduced the following:

LOCAL LAW E OF 2020 (MC)

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

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

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

~~§ 357-1 Purpose and intent.~~

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

~~[§ 357-2 Scope.~~

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

§ ~~[357-3]~~ 357-1 Definitions.

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

~~OFF-THE-ROAD VEHICLES~~

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

OPERATE

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

PUBLIC HIGHWAY

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

§ ~~357-4~~ 357-2 Restrictions.

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

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

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

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

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

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

§ ~~[357-6]~~ 357-4 Enforcement.

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

§ ~~[357-7]~~ 357-5 Severability.

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

~~[§ 357-8 When effective.~~

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

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

**APPROVED AS TO FORM THIS
9TH DAY OF MARCH, 2021**

Corporation Counsel

To: Danielle Gillespie, City Clerk

From: Brett Williams, Senior Assistant Corporation Counsel

**Re: Request for Common Council Legislation
Supporting Memorandum**

Date: March 9, 2021

Sponsor(s): Balarin, Conti, and Love

Local Law E of 2021

TITLE

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

GENERAL PURPOSE OF THE LEGISLATION

The reckless operation of illegal, unregistered dirt bikes, ATVs, and other non-street legal vehicles on the streets and in the parks of Albany has been a scourge on City residents and visitors in recent years – particularly during the summer. The operators of these vehicles, usually in groups, ride with abandon over many parts of the City with no regard for traffic laws, their own well-being, or the safety of bystanders, let alone the considerable noise their vehicles generate, disturbing the peace as they maraud across the City.

While the operation of dirt bikes and ATVs is already illegal on public highways under the New York State Vehicle and Traffic Law, this law makes it explicitly unlawful to operate such vehicles on the public highways, in the public parks, or on any other private land in the City of Albany. It also expressly forbids the operation of these vehicles on private property without the express consent of the owner or occupant of such property.

This local law also allows the police to impound any vehicles used in violation of this local law, provides for a \$2,350 redemption fee, which the title owner of a vehicle impounded under this law must pay before the vehicle will be released back to the owner. Together with the maximum \$650 fine already in place for violations of Chapter 357, violators of this Chapter will now face up to \$3,000 in fines and fees for each violation.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Chapter 357 of the Code, as it stands now, bans the use of “off-the-road” vehicles only “on, upon, through or over the trails, trail system, dunes or other unpaved areas of the Pine Bush, the Albany Municipal Golf Course, Normanskill Farm, Tivoli Lakes, the Corning Reserve and Lower Patroon Island, Krank Park and the public lands in the vicinity of Frisbie Avenue not otherwise specifically

designated or intended for vehicular traffic.” This law expands and clarifies the definition of “off-road vehicles” and bans their operation on public property, as well as private property without the owner or occupant’s permission, throughout the City.

This law retains the former Chapter 357’s maximum \$650 fine for a violation of the chapter, but allows the police to impound vehicles used in the commission of such violations and establishes a redemption fee, as discussed above, which vehicle owners must pay in order to receive their vehicles back.

FISCAL IMPACT

This law adds a impoundment redemption fee of \$2,350 which did not exist in the former version of Chapter 357.