



MINUTES OF A REGULAR MEETING MONDAY, JUNE 21, 2021

The Common Council was convened at 7:00 p.m. and was called to order by President Ellis. This meeting was held following Governor Cuomo’s executive order 202.1 and live-streamed to [Facebook](#) using Zoom as the meeting platform. If during the meeting technical difficulty was experienced the public was made aware that the meeting would be live-streamed on [YouTube](#).

The roll being called, the following answered to their names: Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O’Brien

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

Council President Ellis led the Pledge of Allegiance.

PUBLIC HEARING

The President asked the clerk to read the following:

“Notice is hereby given that a Public Hearing will be held in the Common Council Chambers, City Hall, Albany, New York at 7:30 p.m. on Monday, June 21, 2021 on the following:

Ordinance 18.61.21

ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) IN RELATION TO INCENTIVES FOR DEVELOPERS TO USE ENERGY EFFICIENT AND LOW IMPACT DESIGNS

There was no one who wished to speak on the ordinance and the President declared the Public Hearing closed.

PUBLIC COMMENT PERIOD

1. Thomas Mueller, 22 Tremont Street, Albany NY (Local Law C)
2. Adrian Charles Hill, 28 Delaware Terrace, Albany NY (Local Laws F,G,H, and I of 2021)
3. Alana Klein, 214 Jay Street, Albany, NY (Local Law C)
4. Crystal Smith, 1312 Grand St, Albany, NY (Tear Gas Ban)
5. Marco Flagg, 500 Park Ave., Albany, NY (Albany Public Safety Commission-Local Law L)
6. Mark Mishler, 58 S. Manning Blvd., Albany, NY (Local Law C)

7. Alice Green, 220 Green Street, Albany, NY(Local Law L)
8. Frederick Floss, 16 West Meadow Dr., Albany, NY (Local Law C)
9. Matt Oill, Schenectady, NY (Local Law C)
10. Colin Clark, Elm Street, Albany, NY (Local Law C)
11. James Chaney, Albany, NY (Local Law C)

After the time period for public comment expired, the President declared the Public Comment Period closed. The President also made mention that the Common Council had received and reviewed the written comments that were submitted for consideration.

Approval of Minutes

President Pro Tem Kimbrough made a motion to approve the minutes of June 7, 2021 meetings of the Council, which was duly seconded by Fahey, and APPROVED by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS:

Council member Anane notices Local H of 2021 as Amended June 14, 2021

LOCAL LAW H OF 2021 (*As Amended 06/14/2021*)

LOCAL LAW AMENDING CHAPTER 133A (BUILDING CONSTRUCTION AND HOUSING: SPECIAL PROVISIONS) OF PART II OF THE CODE OF THE CITY OF ALBANY IN RELATION TO ISSUANCE OF NOTICE OF VIOLATIONS, PENALTIES, AND ENFORCEMENT OF STOP WORK AND UNSAFE AND UNFIT ORDERS UNDER THE NEW YORK STATE UNIFORM FIRE PREVENTION & BUILDING CODE AND ALBANY CITY CODE

Be it enacted, by the Common Council of the City of Albany as follows:

Section 1. Chapter 133A (Building Construction and Housing: Special Provisions) of Part II (General Legislation) of the Code of the City of Albany is hereby amended as follows:

Article I General Provisions

§ 133A-1 Scope.

This chapter shall establish the procedures applicable to the manner of service of notices of violation, by whatever designation, ~~[provided in]~~ by the Chief Building Official as defined at Section 375-602 of the Albany City Code or their designee for the violation of any provision of Chapter 133, Building Construction, [and Chapter 231, Housing, in the context of the enforcement of the requirements of those chapters of the] Chapter 171 (Electricity), Chapter 375, Unified Sustainable Development Ordinance, orders issued pursuant to Article 2B of the NYS Executive Law, Chapter 261 (Plumbing), State Uniform Fire Prevention and Building Code and of any other local or state law, order, regulation or directive, which the Chief Building Official is empowered to enforce. This chapter further shall establish the penalties applicable to a conviction of a violation of any of the provisions of ~~[Chapter 133 and Chapter 231]~~ the aforementioned laws, chapters, directives, and codes for which no other penalty is expressly provided therein.

Article II Service of Notices

§ 133A-2 Violations; Notices of violations of code; service of papers.

- A. ~~[Service of notice. All notices issued pursuant to the provisions of Chapter 133 or Chapter 231 to restrain or remove any violation or to enforce compliance with any provision or requirement of such chapters may be served by:~~
- ~~(1) — Delivering to or leaving a copy of the same with any person or persons violating, or who may be liable under any of the several provisions of such chapters;~~
 - ~~(2) — By registered or certified mail to the most current address on file in the Rental Dwelling Registry under § 231-143, if any;~~
 - ~~(3) — If none is on file, to the most current address on file in the City Department of Assessment and Taxation; or~~
 - ~~(4) — If such person or persons cannot be served by any of the aforesaid methods, after diligent search shall have been made for him or them, then such notice or order may be served by posting the same in a conspicuous place upon the premises where such violation is alleged to exist, or to which such notice may refer, or which may be deemed unsafe or dangerous, which shall be equivalent to personal service of said notice upon all parties for whom such search shall have been made; or~~
 - ~~(5) — By any other method of service authorized pursuant to Article 3 of the Civil Practice Law and Rules.]~~

Notices of Violation. Whenever it shall appear to the satisfaction of the Chief Building Official or their designee that the condition of any building, structure, or parcel, or part thereof is in violation of any provision of law cited in Section 133A-1, the Chief Building Official is hereby authorized to serve upon the person or persons responsible for the violation, including but not limited to the owner of any such building or structure, or the architect, contractor or any other person in charge thereof, either as owner or agent, a notice of violation, in writing, which shall:

- (1) set forth the parcel upon which the violation was discovered;
- (2) specify the condition or conditions of such parcel, including all improvements thereon, which is in violation of the provisions of this code;
- (3) direct that the violation be discontinued within such time prescribed in the notice as determined by the Chief Building Official or their designee as reasonable for such discontinuance under the circumstances;
- (4) bear the official seal of the City of Albany and/or Buildings Department;
- (5) include contact information for the Buildings Department; and

(6) provide notice to the subject of the notice of violation of the penalties of non-compliance with said notice as set forth in this chapter.

B. ~~[Notice by mail to owners residing out of state. If the person or persons or any of them to whom said notice is directed do not reside in the State of New York and have no known place of business therein, the same may be served by delivering to, and leaving with, such person or persons, or either of them, a copy of said notice, or if said person or persons cannot be found within said state after diligent search, then by posting a copy of the same in the manner as aforesaid and depositing a copy thereof in a post office in the City of Albany, enclosed in a sealed wrapper addressed to said person or person at his or their last known place of residence, with the postage paid thereon; and said posting and mailing a copy of said notice shall be equivalent to personal service of said notice.]~~ Service of notice. All notices issued pursuant to the provisions of Chapter 133 or Chapter 231 to restrain or remove any violation or to enforce compliance with any provision or requirement of such chapters may be served by:

(1) Delivering to and leaving a copy of the same with any person or persons violating, or who may be liable under any of the several provisions of such chapters; or

(2) By registered or certified mail to the most current address on file in the Rental Dwelling Registry under § 231-143; or

(3) An address provided to the Department of Buildings in the preceding three years as a contact address for the property and/or owner allegedly in violation; or

(4) To the most current address on file in the City Department of Assessment and Taxation; or

(5) The official address for the service of process provided by the owner to the NYS Department of State; or

(6) If such person or persons cannot be served by any of the aforesaid methods, after diligent search shall have been made for him or them, then such notice or order may be served by posting the same in a conspicuous place upon the premises where such violation is alleged to exist, or to which such notice may refer, or which may be deemed unsafe or dangerous, which shall be equivalent to personal service of said notice upon all parties for whom such search shall have been made; or

(7) By any other method of service authorized pursuant to Article 3 of the Civil Practice Law and Rules.

C Failure to comply with notice. Any person who shall fail to comply with a written notice of violation of the Chief Building Official or their designee within the time fixed for compliance therewith, and any owner of any such building or structure, or the architect, contractor or any other person in charge thereof, either as owner or agent who have not complied with any

lawful order, notice, directive, permit or certificate of the Chief Building Official or their designee made thereunder shall be guilty of a violation punishable as set forth in 133A-3(A) of this Code.

D. Aggravated failure to comply with notice. Any person who shall fail to comply with a written notice of a violation of the Chief Building Official or their designee within the time fixed for compliance therewith, and any owner of any such building or structure, or the architect, contractor or any other person in charge thereof, either as owner or agent who have not complied with any lawful order, notice, directive, permit or certificate of the Chief Building Official or their designee made thereunder shall be guilty of a violation punishable as set forth in 133A-3(B) of this Code where such failure to comply is committed with a wonton disregard for the health and safety of the occupants of the subject building or the public at large.

Article III Penalties

§ 133A-3 Penalties for offenses.

A. ~~[Building Code]~~ General Penalties

- (1) When a person is ~~[convicted of]~~ found liable for failing to comply with any provision of ~~[Chapter 133 or of]~~ any law described at Section 133A-1, and orders of the Chief Building Official issued pursuant thereto, such person shall be subject to a fine of not more than \$1,000 per day of violation ~~[or imprisonment not exceeding one year, or both such fine and imprisonment]~~.
- (2) The term “person,” as used in this section, shall include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the building or part thereof.
- (3) Each day of violation shall be deemed to constitute a separate offense.
- (4) Fines levied shall constitute civil forfeitures to the City of Albany.

B. ~~[Housing Code]~~ Elevated Penalties.

~~{(1) — Any person convicted of a violation of the Housing Code (inclusive of noncompliance of administrative requirements), as defined under Part 3 or Part 4 of Chapter 231, shall be punished according to the following schedule:~~

- ~~(a) — First offense: a fine of not less than \$250 nor more than \$400 per day the violation remains unabated or five days' imprisonment, or 50 hours of community service, or any combination thereof.~~

- ~~(b) — Second offense for the same violation regarding the same person and property committed within three years after the first offense: a fine of not less than \$500 nor more than \$800 per day the violation remains unabated, or 10 days' imprisonment or 100 hours of community service, or any combination thereof.~~
- ~~(c) — Third offense for the same violation regarding the same person and property committed within three years after the first offense: a fine of not less than \$1,000 nor more than \$1,600 per day the violation remains unabated, or 15 days' imprisonment, or 150 hours of community service, or any combination thereof.~~
- ~~(d) — The dispositions of matters prosecuted under this section shall be reported to the Common Council in the quarterly report.~~
- ~~(2) — All persons convicted of a violation of the Housing Code, as defined under Part 5 of Chapter 231, shall be fined not less than \$250 nor more than \$1,600.~~
- ~~(3) — The term "person," as used in this section, shall include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of building of part thereof.~~
- ~~(4) — Each day of violation shall be deemed to constitute a separate offense.~~
- ~~(5) — Fines levied shall constitute civil forfeitures to the City of Albany.~~
- ~~(6) — Any unpaid fines of an owner of premises shall be subject to the placement and recordation of a lien by the City of Albany against such premises.]~~
- (1) — When a person is found liable of failing to comply with any provision of any law described at Section 133A-1, and orders of the Chief Building Official issued pursuant thereto, with a wonton disregard for the health and safety of the occupants of the subject building or the public at large, such person shall be subject to a fine of not more than \$1,000 per day of violation or imprisonment not exceeding one year, or both such fine and imprisonment.
- (2) — The term "person," as used in this section, shall include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the building or part thereof.
- (3) — Each day of violation shall be deemed to constitute a separate offense.
- (4) — Fines levied shall constitute civil forfeitures to the City of Albany.

Section 2. Chapter 133A (Building Construction and Housing: Special Provisions) of Part II (General Legislation) of the Code of the City of Albany is hereby further amended by adding a new Article IV, to be entitled “Peremptory Orders and Fees,” which will read as follows:

Article IV Peremptory Orders and Fees

§ 133A-4 Peremptory Orders and fees.

A. Stop Work Orders. Whenever the Chief Building Official or their designee finds that work or activity is being or has been performed in violation of any provision of law cited Section 133A-1 the Chief Building Official or their designee may issue a stop work order.

(1) Issuance. Upon issuance of a stop work order by the Chief Building Official or their designee, all work shall immediately stop unless otherwise specified. Such order may require all persons to forthwith vacate the premises pursuant to subsection B of this section and may also require such work to be done as, in the opinion of the Chief Building Official or their designee, may be necessary to remove any danger therefrom. The police department or other law enforcement agency or officer shall, upon the request of the Chief Building Official or their designee, assist the Buildings Department in the enforcement of a stop work order. The stop work order may be given verbally or in writing to the owner, lessee or occupant of the property involved, or to the agent of any of them, or to the person or persons executing the work. A verbal order shall be followed promptly by a written order and shall include the reason for the issuance of the stop work order.

(2) Unlawful continuance. No person with knowledge or notice of a stop work order shall allow, authorize, promote, continue or cause to be continued any work covered by the stop work order, except such work that may be required by order of the Chief Building Official or their designee.

(3) Rescission. Upon application, the Chief Building Official or their designee shall rescind the stop work order when the condition that gave rise to its issuance has been corrected and either all civil penalties or criminal fines assessed for any violation of such order have been paid or, where a violation is pending, security for the payment of such penalties or fines has been posted in accordance with department rules, or where the stop work order was issued in error or conditions are such that it should not have been issued. The Chief Building Official may require the payment of a fee in the amount of the expense of additional inspection and administrative expense related to such stop work order except where doing so would impose such a fee on party making a good faith and legal request for service.

(4) Tampering. It shall be unlawful to tamper with, remove or deface a written posted stop work order from the location where it was affixed by the Chief Building Official or their designee unless and until the Chief Building Official or their designee has so permitted its removal. The owner or other person in control of the location shall ensure that the stop work order remains posted until rescinded by the Chief Building Official. The Chief Building Official may require the payment of a fee in the amount of the

expense of additional inspection and administrative expense related to the re-posting of such stop work order.

B. Unsafe and Unfit Orders. Whenever any building, structure, place or premises or portion thereof is or may be perilous to life or property by reason of the nature or condition of its contents, its use, the overcrowding of persons therein, defects in its construction, or deficiencies in fire alarm, fire extinguishing equipment or fire escape equipment, or by reason of any condition in violation of any provision of law cited in Section 133A-1, the Chief Building Official or their designee may declare that the same, to the extent that the Chief Building Official or their designee may specify, is unsafe and unfit and may order the same to be removed, sealed, abated, repaired, altered or otherwise improved.

(1) Issuance. Upon issuance of an unsafe and unfit order by the Chief Building Official or their designee, the owner, lessee or occupant of the property involved, or to the agent of any of them, or to the person or persons responsible for the condition giving rise to the unsafe and unfit order shall undertake to immediately remedy the condition giving rise to the unsafe and unfit order in the manner determined by the Chief Building Official or their designee to be reasonably necessary to remove the danger at the subject property including vacating the property and ensuring it remains vacant. Such order may require all persons to forthwith vacate the premises pursuant to the provisions of this section. The police department or other law enforcement agency or officer shall, upon the request of the Chief Building Official or their designee, assist the Buildings Department in the enforcement of an unsafe and unfit order. The unsafe and unfit order may be given verbally or in writing to the owner, lessee or occupant of the property involved, or to the agent of any of them, or to the person or persons responsible for the condition giving rise to the unsafe and unfit order however, the Chief Building Official or their designee shall undertake to post a warning at the subject property reasonably calculated to advise those who would enter the building of the existence of the unsafe and unfit order.

(a) Order to Vacate. In case any order to remedy a condition that is or may be imminently perilous, dangerous or detrimental to life, public safety or property, issued by the Chief Building Official or their designee is not complied with, or the Chief Building Official or their designee determines that an emergency exists requiring such action, the Chief Building Official or their designee may order and immediately cause any building, structure, place or premises or portion thereof to be vacated. The vacate order may be given verbally or in writing to the owner, lessee or occupant of the property involved, or to the agent of any of them, or to the person or persons executing the work.

(b) Enforcement of vacate order. All vacate orders issued pursuant to this section shall be posted upon the premises and made available to the public. The police department shall provide all reasonable assistance to the Buildings Department and other authorized officers and employees necessary to carry out the provisions of this section. A copy of the vacate order may be filed with the Albany County Clerk. Such filing shall be notice of the vacate order to any subsequent owner and such owner shall be subject to such order.

- (c) Unlawful continuance. No person with knowledge or notice of an unsafe and unfit order shall allow, authorize, promote, continue or cause to be continued any activity prohibited by the unsafe and unfit order, except such work that may be required by order of the Chief Building Official or their designee.
- (2) Rescission. Upon application, the Chief Building Official or their designee shall rescind the unsafe and unfit order when the condition that gave rise to its issuance has been corrected and either all civil penalties or criminal fines assessed for any violation of such order have been paid or, where a violation is pending, security for the payment of such penalties or fines has been posted in accordance with department rules, or where the unsafe and unfit order was issued in error or conditions are such that it should not have been issued. The Chief Building Official may require the payment of a fee in the amount of the expense of additional inspection and response by City of Albany personnel and administrative expense, including expenses related to the relocation and/or rehousing of individuals effected by the unsafe and unfit order related to such unsafe and unfit order except where doing so would impose such a fee on party making a good faith and legal request for service.
- (3) Tampering. It shall be unlawful to tamper with, remove or deface a written posted unsafe and unfit order from the location where it was affixed unless and until the Chief Building Official or their designee has so permitted its removal. The owner or other person in control of the location shall ensure that the unsafe and unfit order remains posted until rescinded by the Chief Building Official. The Chief Building Official may require the payment of a fee in the amount of the expense of additional inspection and response by City of Albany personnel and administrative expense related to the re-posting of such stop work order.

Section 3. This local law shall take effect upon final passage, public hearing, and filing with the Secretary of State.

No action was taken on Local Law H of 2021 as Amended June 14, 2021 because of the aging requirement.

Council member Fahey noticed Local Law I of 2021 (**LOCAL LAW REPEALING PARTS 4 (RESIDENTIAL OCCUPANCY PERMIT) AND 5 (RENTAL DWELLING REGISTRY) OF CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY AND ENACTING A NEW PART 4 OF SUCH CHAPTER ENTITLED “RENTAL OCCUPANCY PERMIT AND RENTAL DWELLING REGISTRY” IN RELATION TO THE CITY’S RESIDENTIAL OCCUPANCY PERMIT AND RENTAL DWELLING REGISTRY PROGRAMS**) as follows, asked for passage and a roll call vote thereon:

The following member(s) spoke before passage: Fahey and Anane

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

**Local Law I of 2021 was co-sponsored by Council Members: Anane, Flynn, Igoe, Johnson, Kimbrough, and O’Brien*

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

Affirmative – Anane, Balarin, Doeschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O’Brien

Affirmative 11 Negative 0 Abstain 0

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

REPORTS OF STANDING COMMITTEES:

General Services, Health and Environment Committee: Chair O'Brien discussed the June 8, 2021 meeting of the committee regarding Ordinance 15.52.21 which was unanimously voted out of committee. During that meeting Resolution 44.51.21R and it being amended to also honor the passing of Benjamin Garland's wife.

Law, Buildings and Code Enforcement: Chair Igoe discussed that the committee met on June 14, 2021 and discussed all four of the Local Laws (F, G, H and I of 2021) and the current status. On June 28, 2021 the committee will meet to continue the discussion on Local Law F of 2021.

Parks, Recreation and Family Services: Chair Flynn discussed that the committee would be meeting on June 23, 2021 to discuss Resolution 49.52.21R(MC) Lights in the Park.

Planning, Land Use and Economic Development Committee: Chair Fahey discussed the upcoming meeting on June 29, 2021 to continue USDO proposed amendments. As a reminder the Chair shared that during the June 30, 2021 caucus the committee would provide an update to the full council.

CONSIDERATION OF ORDINANCES

Council member O'Brien noticed Ordinance 15.52.21-As amended 5/27/2021 (**AN ORDINANCE AMENDING ARTICLE III (PAVEMENT OPENINGS) OF CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE OPENING AND REPAIR OF SIDEWALKS, STREETS, AND OTHER PAVEMENTS**) as follows, asked for passage and a roll call vote thereon:

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

**Ordinance 15.52.21-as amended May 27, 2021 was co-sponsored by Council Members: Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, and Kimbrough*

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

Affirmative – Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O'Brien

Affirmative 11 Negative 0 Abstain 0

Council member Doesschate noticed Ordinance 18.61.21 (**ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) IN RELATION TO INCENTIVES FOR DEVELOPERS TO USE ENERGY EFFICIENT AND LOW IMPACT DESIGNS**) as follows, asked for passage and a roll call vote thereon:

The following member(s) spoke before passage: Doesschate

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

**Ordinance 18.61.21 was co-sponsored by Council Members: Fahey, Hoey, Kimbrough, and O'Brien*

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

Affirmative – Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O'Brien

Affirmative 11 Negative 0 Abstain 0

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

CONSIDERATION OF RESOLUTIONS

Council Member Flynn, noticed the introduction of Resolution 54.62.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 54.62.21R

RESOLUTION OF THE COMMON COUNCIL APPOINTING JAMES SANO 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 who 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 James Sano is hereby appointed a Marriage Officer in the City of Albany for a term of 41 days; to wit: June 21, 2021 through and including August 1, 2021.

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

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

** Resolution 54.62.21R was co-sponsored by Anane, Doesschate, Fahey, Hoey, and Kimbrough*

Affirmative – Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O'Brien

Affirmative 11 Negative 0 Abstain 0

Council Member Fahey noticed the introduction of Resolution 55.62.21R as follows, which was introduced and adopted by a voice vote:

RESOLUTION NUMBER 55.62.21R

A RESOLUTION OF THE COMMON COUNCIL APPOINTING MEMBERS TO THE CITY OF ALBANY COMMISSION ON MUNICIPAL INTERNET SERVICE

WHEREAS, pursuant to section 42-383 of the Code of the City of Albany, the Common Council has the authority to appoint members to the City of Albany Commission on Municipal Internet Service;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed as members of the City of Albany Commission on Municipal Internet Service:

Scott Jarzombek

Ira Bethea

Caitlin Monjeau

Martin Robinson

Cara Holt

AND BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The following Council Member(s) spoke prior to passage: Fahey, Balarin, and Anane

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

** Resolution 55.62.21R was co-sponsored by All Council Members Anane, Balarin, Flynn, Frederick, Hoey, Igoe, Kimbrough, and O'Brien*

Affirmative – Anane, Balarin, Doesschate, Fahey, Flynn, Frederick, Hoey, Igoe, Johnson, Kimbrough, and O'Brien

Affirmative 11 Negative 0 Abstain 0

Council Member Kimbrough noticed the introduction of Resolution 56.62.21R as follows, which was introduced and held for further consideration:

RESOLUTION NUMBER 56.62.21R

RESOLUTION HONORING THE LIFE AND LEGACY OF CHARLES E. TRAYNHAM AND RENAMING A PORTION OF MOHAWK STREET IN HIS HONOR

WHEREAS, Charles E. Traynham, also known to many as Chuckie, was born on April 6, 1949, and attended Albany High School and graduated in 1968. He worked for the Department of Transportation for 25 years; and

WHEREAS, Charles was a founding member of The Sons of Arbor Hill and the first Secretary. He was known as the Mayor of Swan street; and

WHEREAS, At an early age, he found the love of basketball, and he played for two years in a row, undefeated 36-0 at Swan street playground. At Albany high school, he once had 35 rebounds in one game. His sophomore year he went undefeated 18-0. In his junior year, his team won the sectional A and B title for Albany High School. After his basketball career he eventually started teaching young kids how to play basketball and loved it; and

WHEREAS, Under Charles' leadership, the Sons of Arbor Hill did many things for the Arbor Hill community such as Halloween parties, Christmas parties, free toys for Tots, and the Stop the Violence

basketball tournament. Founded Coats for Tots which was the first organization to give free coats to children beginning in 1974; and

WHEREAS, Charles along with the Sons of Arbor Hill went out into the community and registered people to vote. Their advocacy helped Nebraska Brace and Jim Bolden to become members of the Albany Common Council and helped elect Wanda Willingham and Donna Robinson to the Albany County Legislator; and

NOW, THEREFORE, BE IT RESOLVED, The Albany Common Council honors the life and legacy of Charles E. Traynham and supports an honorary street sign to read “Charles E. Traynham way” shall be placed adjacent to the existing Mohawk Street sign.

BE IT FINALLY RESOLVED, that a copy of this resolution, suitably engrossed be transmitted to the family of Charles Traynham, with the condolences of the Common Council of the City of Albany.

President Pro Tem Kimbrough referred the resolution to the General Services Committee

President Pro Tem Kimbrough held the pending Resolutions on the agenda for further consideration

COMMISSIONER OF DEEDS

NONE

MISCELLANEOUS AND UNFINISHED BUSINESS

Council Member Johnson spoke about Local Law C and the frustration the community is experiencing with the vote being deferred and his regret that this piece of legislation wouldn't be addressed before the election. He thanked the speakers who spoke regarding the Law C for their continued advocacy and comments.

ADJOURNMENT:

There being no further business, President Pro Tem Kimbrough made a motion to adjourn, which was duly seconded and adopted by unanimous voice vote. President Ellis declared the meeting adjourned at approximate 8:15 pm.

Danielle Gillespie
City Clerk of the City of Albany