

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

**Thursday, February 24, 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, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith.

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

Council Member Calsolaro led the Pledge of Allegiance.

## **PUBLIC HEARING**

Clerk to the Common Council John Marsolais read the notice of the public hearing on the closing of a portion of Yates Street in the City of Albany, NY. The following individuals spoke:

1. Marcus Buckley, Vice President of Finance & Administration, College of St. Rose
2. Vincent Riguso, 13 Beach Ave., Albany, NY 12203 (Oppose)
3. Kim Baker, 543 Morris St., Albany, NY 12208 (Support)
4. Ray Angle, Owner of 571 Morris St., Albany, NY 12208
5. William Simcoe, 51 Peyster St., Albany, NY 12208 (Support)
6. Debbie Phaff, 5 N. Pine Ave., Albany, NY (Read Letter of Support on behalf of husband, David Phaff)
7. Luke Schomsky, 882 Warren St., Albany, NY 12208 (Support)
8. Al Brooks, 6 Fairlawn Ave., Albany, NY 12203 (Support)
9. Miriam Adler, 877 Madison Ave., Albany, NY 12208 (Support)
10. Susan Walsh, 850 Mercer St., Albany, NY 12208 (Support)
11. Martha Mrygold, 655 Washington Ave., Albany, NY 12206 (Support)
12. Debra Ritano, 1013 Anthony Dr. Schenectady, NY, Owner of 1112 & 877 Madison Ave. Albany, NY 12208 (Support)
13. Brian Viglucci, 20 Corlear St., Albany, NY 12209 (Support)
14. Schuyler Bull, 18 Old Hickory Dr., Albany, NY 12204 (Support)
15. Dean Wolanin, 594 Western Ave., Albany, NY 12203 (Support)
16. Steve Wilgocki, 22 Stonehenge Ln., Albany, NY 12203 (Support)
17. Ryan Marsh, 37 W. Erie St., Albany, NY 12208 (Support)
18. Jermaine Brookshire, 366 Western Ave., Albany, NY 12203 (Support)
19. Mike D'Attilio, Executive Director of Community Affairs, College of St. Rose
20. Marggie Skinner, 49 Ryckman Ave., Albany, NY 12208 (Oppose)
21. Todd Hunsinger, 538 Morris St., Albany, NY 12208 (Oppose)
22. George Woodard, 546 Morris St., Albany, NY 12208 (Oppose)

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

Council President McLaughlin motioned to recess for five minutes, which was approved by unanimous voice vote.

Council President McLaughlin reconvened the meeting at 8:45PM and opened the floor for public comment.

### **PUBLIC COMMENT PERIOD**

1. Grace Nichols, 439 Elk St., Albany, NY 12206 (Pine Bush Restoration Plan/Pesticides)
2. Sandy Steubing, 680 Central Ave., Albany, NY 12206 (Peak Fuel)
3. John Wolcott, 344 Sheridan Ave., Albany, NY 12206 (Landfill)

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

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

DEFERRED

### **CONSIDERATION OF LOCAL LAWS**

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

### **REPORTS OF STANDING COMMITTEES**

**Housing and Community Development** – Council Member Calsolaro stated the Committee met on Wednesday, February 16, 2011 following caucus to discuss preliminary Community Development Block Grant (CDBG) awards and the initiatives the Mayor discussed in his State of the City address. The community Development Agency will be focusing CDBG funding on three programs Rehabilitation, New Homeownership and Strategic Acquisition. The Committee also met on February 22, 2011 at 5:30 p.m. at 200 Henry Johnson Boulevard to participate in the CDBG Preliminary Award Appeals hearing. There were a few organizations that were denied total CDBG funding. The Committee would be meeting to discuss the resolution regarding the CDBG Action Plan. The Chair asked Council Members to submit any amendments they have for the resolution.

**Council Operations and Ethics** – Council Member Conti stated that the Committee would be met on Thursday, February 10, 2011 to have a discussion on the final census numbers and reapportionment. The Committee considered Ordinance 4.21.11 relating to Council meeting procedures, which was favorably recommended out of Committee. The Committee also be discussed the process for Local Law E and F of 2010 relating to Council restructuring. The Committee identified four dates at four locations (200 Henry Johnson Boulevard, Albany City Hall, Albany Public Library – New Scotland Avenue Branch, and Albany Housing Authority Building) to allow for public input. The Committee discussed Resolution 4.21.11R relating to establishing the Reapportionment Committee, which was reported out of Committee favorably with amendments.

### **CONSIDERATION OF ORDINANCES**

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 12.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$200,000.00 AND AUTHORIZING THE ISSUANCE OF \$200,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ENERGY CONSERVATION)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Certain building alterations.  
Local Finance Law Section 11.00(a) Subparagraph 13  
Period of Probable Usefulness: 10 years  
Maximum Term of Obligations: 10 years  
Maximum Estimated Cost: \$200,000.00  
Maximum Amount of Bonds: \$200,000.00  
Treasurer's Bond Authorization Numbers: F-11  
Treasurer's Project Numbers: GH 14408106

Section 2. The plan of financing such objects or purposes is the issuance of \$200,000.00 serial bonds hereby authorized to be issued.

Section 3. It is hereby ordered and directed that the projects specified above be undertaken and the amounts set forth as the maximum estimated costs are hereby appropriated therefore. The Board of Contract and Supply is hereby authorized to take such necessary and further steps to carry out the provisions of this section.

Section 4. Pending the sale of the bonds herein authorized, the temporary use of funds from the City's general fund, pursuant to the provisions of section 165.10 of the New York Local Finance Law, is hereby authorized. The City reasonably expects to reimburse such temporary expenditures with the proceeds of the bonds or bond anticipation notes authorized by section 1 of this ordinance. This ordinance shall constitute the City's "official intent" to reimburse such temporary expenditures in accordance with United States Treasury Regulation section 1.150-2.

Section 5. The faith and credit of the City of Albany, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. There shall annually be levied on all taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the New York Local Finance Law, the power to authorize

the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated in the City Treasurer, as chief fiscal officer of the City of Albany. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of Local Finance Law.

Section 7. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 8. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this ordinance pursuant to Section 8 hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publications, or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Upon this ordinance taking effect, the Clerk of the Common Council is hereby authorized and directed to publish the same together with a notice in substantially the form set forth in section 81.00 of the New York Local Finance Law.

Section 11. It is hereby determined that except as hereinafter specified, the authority and funding of the projects aforesaid constitute either unlisted or Type II actions under the New York State Environmental Quality Review Act and the regulations promulgated thereunder having no adverse effect upon the environment.

Section 12. This ordinance shall be dated February 24, 2011 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 13.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY,**

**NEW YORK AT A MAXIMUM ESTIMATED COST OF \$300,000.00 AND AUTHORIZING THE ISSUANCE OF \$300,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ROOF IMPROVEMENTS)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Unspecified betterments and improvements.  
Local Finance Law Section 11.00(a) Subparagraph 35  
Period of Probable Usefulness: 15 years  
Maximum Term of Obligations: 15 years  
Maximum Estimated Cost: \$300,000.00  
Maximum Amount of Bonds: \$300,000.00  
Treasurer's Bond Authorization Numbers: G-11  
Treasurer's Project Numbers: GH 14408107

Section 2. The plan of financing such objects or purposes is the issuance of \$300,000.00 serial bonds hereby authorized to be issued.

*\*NOTE – Please refer to Ordinance 12.22.11 for the language for Sections 3 thru 12 for Ordinances 13.22.11 thru 19.22.11*

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 14.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$150,000.00 AND AUTHORIZING THE ISSUANCE OF \$150,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (WASHINGTON PARK IMPROVEMENTS)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Parks, playgrounds and recreational areas.

Local Finance Law Section 11.00(a) Subparagraph 19(c)  
Period of Probable Usefulness: 15 years  
Maximum Term of Obligations: 15 years  
Maximum Estimated Cost: \$150,000.00  
Maximum Amount of Bonds: \$150,000.00  
Treasurer's Bond Authorization Numbers: H-11  
Treasurer's Project Numbers: GH 71108108

Section 2. The plan of financing such objects or purposes is the issuance of \$150,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 15.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$825,000.00 AND AUTHORIZING THE LEASE FINANCING OF OR THE ISSUANCE OF \$825,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (REPLACEMENT VEHICLES)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Motor vehicles.  
Local Finance Law Section 11.00(a) Subparagraph 29  
Period of Probable Usefulness: 5 years  
Maximum Term of Obligations: 5 years  
Maximum Estimated Cost: \$825,000.00  
Maximum Amount of Bonds: \$825,000.00  
Treasurer's Bond Authorization Numbers: I-11  
Treasurer's Project Numbers: GH 14908109

Section 2. The plan of financing such objects or purposes is the lease financing of or issuance of \$825,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 16.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$255,000.00 AND AUTHORIZING THE LEASE FINANCING OR ISSUANCE OF \$255,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (REPLACEMENT EQUIPMENT)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Machinery and apparatus for construction and maintenance.  
Local Finance Law Section 11.00(a) Subparagraph 28  
Period of Probable Usefulness: 10 years  
Maximum Term of Obligations: 10 years  
Maximum Estimated Cost: \$255,000.00  
Maximum Amount of Bonds: \$255,000.00  
Treasurer's Bond Authorization Numbers: J-11  
Treasurer's Project Numbers: GH 14908110

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$255,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 17.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$375,000.00 AND AUTHORIZING THE LEASE FINANCING ISSUANCE OF \$375,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (BULL DOZER)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Refuse Disposal Areas.  
Local Finance Law Section 11.00(a) Subparagraph 6-a  
Period of Probable Usefulness: 20 years

Maximum Term of Obligations: 20 years  
Maximum Estimated Cost: \$375,000.00  
Maximum Amount of Bonds: \$375,000.00  
Treasurer's Bond Authorization Numbers: K-11  
Treasurer's Project Numbers: GH 81608111

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$375,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 18.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$1,000,000.00 AND AUTHORIZING THE ISSUANCE OF \$1,000,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PINE BUSH RESTORATION)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Refuse disposal areas.  
Local Finance Law Section 11.00(a) Subparagraph 6-a  
Period of Probable Usefulness: 20 years  
Maximum Term of Obligations: 20 years  
Maximum Estimated Cost: \$1,000,000.00  
Maximum Amount of Bonds: \$1,000,000.00  
Treasurer's Bond Authorization Numbers: L-11  
Treasurer's Project Numbers: GH 81608112

Section 2. The plan of financing such objects or purposes is the issuance of \$1,000,000.00 serial bonds hereby authorized to be issued.

Council Member Sano introduced the following, which was referred to the Finance, Taxation and Assessment Committee:

**Ordinance Number 19.22.11**

**AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$825,000.00 AND AUTHORIZING**

**THE ISSUANCE OF \$825,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PROFESSIONAL FEES - LANDFILL)**

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

**Section 1. The objects or purposes to be authorized and financed pursuant to this ordinance are set forth below, together with estimates of the maximum estimated costs thereof; determinations of the periods of probable usefulness thereof and the subparagraphs of Section 11.00(a) of the New York Local Finance Law pursuant to which it is determined; the maximum amount of the bonds to be issued with respect to such object or purpose and the maximum term of the obligations to be issued with respect to each project or purpose.**

Object or Purpose: Refusal disposal areas.  
Local Finance Law Section 11.00(a) Subparagraph 6-a  
Period of Probable Usefulness: 20 years  
Maximum Term of Obligations: 20 years  
Maximum Estimated Cost: \$825,000.00  
Maximum Amount of Bonds: \$825,000.00  
Treasurer's Bond Authorization Numbers: M-11  
Treasurer's Project Numbers: GH 81608113

Section 2. The plan of financing such objects or purposes is the issuance of \$825,000.00 serial bonds hereby authorized to be issued.

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

**Ordinance Number 20.22.11**

**AN ORDINANCE AMENDING ARTICLE I (GENERAL) OF CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO FIRE HYDRANTS**

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

**Section 1. Section 323-21 of Chapter 323 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 323-21. Sidewalks to be kept clear of snow and/or ice; fire hydrants to be kept clear of snow; ~~D~~ depositing snow and/or ice in streets.**

**B. Within 24 hours of the cessation of a snowfall it shall be the duty of every owner of property, whose property is adjacent to or abutting a fire hydrant, to remove said snow which may have fallen. Snow shall be removed in such a manner that the fire hydrant can be easily accessed from the adjacent right-of-way.**

**~~B~~C. In no event shall any owner or proprietor, lessee or person entitled to the possession of any vacant lot, parking lot, gasoline service station or public garage cast, shovel or otherwise deposit**

snow and/or ice in the roadway of any public street in the City of Albany or upon any public sidewalk and/or crosswalk in said City.

[~~C~~]D. The Commissioner of General Services shall promulgate rules to gather complaints and shall deploy the necessary personnel to investigate complaints and issue a notice to clear the sidewalk if necessary within 24 hours of such complaint. If such complaint is brought against a county, state, or federal entity, that entity shall be notified of the complaint and urged to clear the sidewalk within 24 hours.

**Section 1. Section 323-22 of Chapter 323 of the Code of the City of Albany is hereby amended to read as follows:**

**§ 323-22. Commissioner of General Services; cleaning snow and/or ice off sidewalks; clearing snow from fire hydrants; costs.**

A. Where there has been a failure to comply with the requirements of § 323-21(~~A~~) within 24 hours, the Commissioner of the Department of General Services or his or her designee may, in his or her discretion, cause said sidewalk to be cleaned of snow and/or ice, the cost of which shall be charged to the owner of the property adjacent thereto, and, if unpaid within the time prescribed, shall be added to the tax bill assessing said property, which shall be and remain a lien against the property upon or adjacent to which the work is done and collected by the City from the owner of such property in the same manner as taxes are collected. The City may institute an action at law against such owner, owners or occupants to recover the cost thereof, which remedy shall be in addition to the right to assess the cost as a lien against the property. In no event shall such charge be less than \$75.

B. Failure to comply with § 323-21(B) shall result in a fine of \$100. Should the Albany Fire Department, Department of Water and Water Supply, Department of General Services or their designees cause such fire hydrant to be cleared the cost of said removal shall be billed to the adjoining property owner in addition to any fines levied.

[~~B~~]C. No costs assessed herein shall be added to the tax bill nor shall any legal action be instituted by the City to recover such costs until the owner(s) or occupant(s) to be charged have been afforded an opportunity to be heard at a hearing convened by the Commissioner or his/her designee(s) in accordance with rules promulgated by the Commissioner to effectuate the same. A defense to an action instituted by the City as herein provided shall be the physical impairment of the owner or occupant.

Council Member Herring introduced the following, which was referred to the Planning, Economic Development and Land Use Committee:

**Ordinance Number 21.22.11**

**AN ORDINANCE AMENDING CHAPTER 303 (SIDEWALK AND OUTDOOR CAFES) OF THE CODE OF THE CITY OF ALBANY**

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

**Section 1. Section 303-3 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-3. Definitions.**

For the purposes of this chapter, the following terms shall include each of the meanings set forth:

**SIDEWALK CAFE**

Those exterior facilities adjacent to and a part of establishments selling food and/or drink that require the use of some City-owned property for operation, are temporary in nature and open to the elements except for optional awnings and/or temporary low walls or fences. Said café being adjacent to a single side of an establishment.

**Section 2. Section 303-6 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-6. Application for permit.**

A. Any request or application for a permit to operate a sidewalk or outdoor cafe shall be made to the City Clerk or his or her designated agent, in writing, on the application form provided by the City Clerk's office for this purpose. Where construction or alterations are anticipated, the applicant for an outdoor cafe must also submit a building permit application which will be reviewed for compliance with the State Building Code and City Zoning Requirements. *Editor's Note: See the New York State Uniform Fire Prevention and Building Code and Ch. 375, Zoning, of this Code, respectively.*

B. The request/application shall include:

- (1) The name, address and telephone number of the applicant.
- (2) The name, address and telephone number of the restaurant to be the subject of the application.
- (3) The days and hours for which the permit is requested.
- (4) Whether alcoholic beverages are to be served.
- (5) The number of tables and chairs desired for this area and a rendering of positions of tables relative to entrances, exits and the sidewalk.
- (6) A description of facilities and equipment to be used, including whether live or mechanically reproduced music is to be played and the other devices needed for amplification of sound, when applicable.
- (7) A site plan, drawn to scale, showing proper clearance around ingress and egress to building and to fire safeguards; also proper amount of clearance on sidewalk for pedestrian traffic.
- (8) Proof of insurance, in amounts required by the City Clerk.
- (9) An indication of all fixtures such as fencing, decking or planters to be used and an indication of whether or not they will be removed when the cafe is closed. All fixtures must be temporary and shall not be affixed to City-owned property in any manner.
- (10) A survey map indicating property lines and that property which is owned by the applicant and that which is City-owned.

(11) Any other information that the City Clerk may find reasonably necessary for the fair determination as to whether a permit should be issued.

**Section 3. Section 303-7 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-7. Standards for issuance of permit.**

A. The City Clerk shall issue a permit upon a finding that:

(1) The proposed sidewalk or outdoor cafe will not unreasonably interfere with the pedestrian traffic or use of the City-owned portion of property to be used.

(2) The applicant has met all other applicable provisions in this chapter and those in the Building Code, the Zoning Ordinance and, if located in a historic district, the Historic Resources Commission Ordinance.

B. Notwithstanding the foregoing, the City Clerk may deny a permit upon a finding that:

(1) The use of the sidewalk or outdoor cafe has resulted in violations of any applicable rule, regulation, ordinance, local law or statute during the 12 months preceding the application.

(2) The proposed sidewalk or outdoor cafe will have an undue adverse effect upon nearby property, the character of the neighborhood, traffic conditions, parking or other matters affecting the public health, safety, welfare or convenience.

C. The City Clerk may hold an administrative hearing with the applicant for a permit and any other interested persons to assist in making such a determination. Such hearing shall be upon notice to Corporation Counsel; the Division of Building and Codes; the Departments of Engineering, Development and Planning [and Neighborhood Development], Fire, Police, Traffic Engineering; the Alderperson representing the area in which the proposed cafe is to be located; and the neighborhood association, if any, whose contact person and boundary descriptions are on file with the City Clerk.

**Section 4. Section 303-9 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-9. Fees.**

The fee for processing the application for a sidewalk or outdoor cafe permit shall be \$[65]200.

**Section 5. Section 303-11 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-11. Revocation of permit and enforcement.**

A. The City Clerk, with the assistance of the Division of Building and Codes, the Albany Police Department and the Department of Development and Planning [and Neighborhood Development], shall be responsible for monitoring and enforcing compliance with the terms of this chapter and applicable rules and regulations. In so doing, the City Clerk may hold an administrative hearing with the applicant for a permit and any other interested persons. Such hearing shall be upon notice to the Corporation Counsel; the Division of Building and Codes; the Departments of Engineering, Development and Planning [and Neighborhood Development], Fire, Police, Traffic Engineering; the Alderperson representing the area in which the proposed cafe is to be located; and the neighborhood association, if any, whose contact person and boundary descriptions are on file with the City Clerk.

B. The Division of Building and Codes or Albany Police Department, upon inspection and discovery of a violation of this chapter or other applicable rule, regulation, ordinance, local law or statute may immediately cause the offending cafe to be cleared of patrons.

C. The Division of Building and Codes, Albany Police Department or the Department of Development and Planning [~~and Neighborhood Development~~] shall, upon the discovery of a violation of this chapter or other applicable rule, regulation, ordinance, local law or statute, [~~prepare and submit to~~] notify the City Clerk [~~a report~~] of such violation [~~in such form as agreed upon by the City Clerk and the Chief of Police or his or her designee~~].

D. Upon a finding of such violation of this chapter or other applicable rule, regulation, ordinance, local law or statute, or upon other good cause shown, the City Clerk may revoke a permit or commence an action pursuant to § 258-2, or both.

**Section 6. Section 303-21 of Chapter 303 of the Code of the City of Albany is amended to read as follows:**

**§ 303-21. Permit issuance, terms, renewals and expirations.**

Permits shall be issued on or after [~~May~~] April1 of each year. All permits, regardless of when issued, shall expire on [~~April 30~~] November 1 of the year the permit is issued. Applications for renewal of permits shall be made in the same manner as original applications. Permits are not assignable.

**Section 7. This ordinance shall take effect immediately.**

Council Member Conti moved to amend Ordinance Number 4.21.11 and as amended asked for passage and a roll call vote thereon:

**Ordinance Number 4.21.11 (As Amended)**

**AN ORDINANCE AMENDING PART 21 (COMMON COUNCIL), PART 10 (BOARD OF CONTRACT AND SUPPLY) AND PART 14 (BOARD OF ESTIMATE AND APPORTIONMENT) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO COMMON COUNCIL OPERATING PROCEDURES**

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

**Section 1. Chapter 42, Part 21, Article XXXI of the Code of the City of Albany is hereby amended to read as follows:**

**Part 21 - Common Council**

**ARTICLE XXXI - General Provisions**

§ 42-223. Common Council Rules and Operating Procedures.

**This Article sets forth the basic operating procedures for the City of Albany Common Council. The Common Council also follows its own “Rules of Procedure” adopted by resolution of the Common Council at the annual organizational meeting and amended from time to time.**

§ 42-224 [42-223]. Common Council [;] minutes [; publication; distribution; bound].

**The minutes of each meeting of the Common Council shall comply with the requirements of the NYS Open Meetings Law and any requirements contained in the Common Council Rules of Procedure. Minutes of each official meeting [be published in the official newspapers and] shall be [printed in full] made available within [six] seven days after [the] adjournment and immediately distributed, one to the Mayor, one to each member of the Common Council and one to the head of each department. At the end of the year the printed minutes [and reports of the City officers shall be printed and bound in adequate number. ] shall be maintained by the City Clerk as an official city record.**

[§ 42-224. Board of Estimate and Apportionment; minutes; Board of Contract and Supply; distribution; bound.

**The minutes of each meeting of the Boards of Estimate and Apportionment and Contract and Supply shall be printed in full and distributed, one to each member of such Boards and of the Common Council and one to the head of each department. At the end of the year the printed minutes shall be indexed and bound in adequate number.]**

§ 42-225. [Aldermen; quorum] Quorum; President.

**[A majority of the Aldermen elected] Eight members of the Common Council shall constitute a quorum, but [a smaller] any number may adjourn from time to time and compel the attendance of absent members at official meetings. The Council shall be called to order by the President or, if [he be] the President is absent, by the President [Pro Tem] Pro-Tempore, who shall preside until the President appears.**

[§ 42-226. Order of business.

**After calling the roll and reading and approving of minutes, the order of business, which shall not be departed from except by the consent of a majority present, shall be as follows:**

**A. Local laws.**

- (1) Introduction of local laws.**
- (2) Messages from the Mayor relative to local laws.**
- (3) Public hearing on local laws.**
- (4) Discussion on local laws.**

**B. Communications from the Mayor, heads of departments and City officers.**

- C. **Consideration of vetoes.**
- D. **Presentation of petitions, remonstrances and communications.**
- E. **Reports of standing committees.**
- F. **Reports of select committees.**
- G. **Consideration of accounts and appeals.**
- H. **Consideration of ordinances.**
- I. **Resolutions.**
- J. **Miscellaneous or unfinished business.]**

[§ 42-227. Local laws; introduction and procedure.

- A. **Every local law shall be introduced by a member or on the report of a committee.**
- B. **Every local law introduced shall be in duplicate and shall have endorsed thereon a statement of its title with the name of its introducer.**
- C. **If a local law purports to supersede an existing provision of the Charter or of another state law, it shall indicate in the next to the last section thereof the particular provision which is to be superseded.**
- D. **If a local law purports to amend an existing local law, it shall when practicable show all the new matter underscored and all the matter to be eliminated in brackets, and, when such local law is printed or reprinted, all new matter must appear in italics and all matter to be eliminated in brackets.**
- E. **Every local law introduced shall be deposited with the Clerk and shall be read in its order of introduction when the order of business, "Introduction of Local Laws," shall be reached.**
- F. **The Clerk shall cause every local law immediately upon its introduction to be printed and placed on the desks of the members; he shall number them consecutively as received. Such number law shall be retained as an introductory number. Each local law shall also have a print number, and if the same is printed, the original print number shall be retained and there shall be added its new print number.**
- G. **The Clerk shall transmit to the City Clerk a certified copy of every local law upon its enactment and such local laws as are subject to mandatory referendum or referendum on petition. The City Clerk shall within three days after the taking effect of a local law file three certified copies thereof in the office of the Secretary of State.**
- H. **No such local law shall be passed until it shall have been in its final form and upon the desk of the members at least seven calendar days, exclusive of Sunday, prior to its final passage, unless the Mayor shall have certified as to the necessity for its immediate passage, and such local**

**law be passed by the affirmative vote of two-thirds (2/3) of the voting power of the Common Council.]**

[§ 42-228. Petitions, memorials and resolutions; introduction and procedures.

**All petitions, memorials, resolutions or other papers, previously to their being handed to the Chair, shall have a brief statement of their contents indorsed thereon, together with the name of the member presenting the same, and when requested, the same shall be read by the Clerk before reference or voting thereon.]**

§ 42-226 [42-229. President; s] Special meeting; procedures.

**The President of the Common Council or a majority of its members may call a special meeting by causing a written notice thereof specifying the objects of the meeting to be served by the City Clerk upon each member personally, [or by mail directed to his place of residence or place of business,] by mail, facsimile, or electronic mail at least 24 hours before the time of such meeting [, and]. The City Clerk shall make every reasonable attempt to insure that each council member actually receives notice of the special meeting. N [n]o other business than that stated in said notice shall be transacted at such meeting.**

[§ 42-230. Committees and officers; report.

**All committees and officers of the Council to whom any petition, account or other matter shall be referred, shall make a report thereon in writing at the first regular meeting after such reference; and the presiding officer at each regular meeting shall call upon such committees and officers for their reports in the order stated in Rule 2, and committees and officers, on making their reports, shall return the petition, account or other matter referred. ]**

[§ 42-231. Reports.

All reports shall be entered on the minutes and filed with the Clerk.]

[§ 42-232. Proposed laws; printed copy; distribution; when.

**A printed copy of all proposed laws shall be delivered, under the direction of the Clerk, to each member of the Council, at least six days before the same shall be put upon their passage. ]**

[§ 42-233. Executive session; procedures.

**For the consideration of all cases mentioned in Rule 32, the Council may, with the consent of 10 members thereof, resolve itself into executive session, at which session the Council may exclude all persons from the room, except the Aldermen and the Clerk of the Common Council.]**

[§ 42-234. President; procedures to leave Chair.

**Whenever the President may wish to leave the Chair, he shall substitute the President Pro Tem or, if he be absent, any member in his place, but to act for that meeting only.]**

[§ 42-235. Debate; procedure.

**No question shall be debated or put unless the same shall be seconded. When a motion is seconded, it shall be stated by the President before debate, and every such motion shall be reduced to writing if any member request it.]**

[§ 42-236. President; motion; withdrawal.

**After a motion is stated by the President, it shall be deemed to be in the possession of the Council; but it may be withdrawn at any time by the mover, before decision or amendment, by unanimous consent.]**

[§ 42-237. Questions of order; procedure.

**Questions of order shall be decided by the Chair without debate, subject to an appeal to the Council, which shall also be decided without debate. A member called to order shall immediately take his seat, unless permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to.]**

[§ 42-238. Committees; appointment; Chairman.

**All committees shall be appointed by the President Pro Tem. The first person named in the appointment of a committee shall be the chairman thereof.]**

[§ 42-239. Motions to adjourn.

**Motions to adjourn, to lay on the table and for the previous question shall always be in order, and shall be decided without debate.]**

[§ 42-240. Filling of blanks; procedure.

**When a blank is to be filled, and different sums, numbers or times are proposed, the question shall first be put on the greatest number, longest time and largest sum.]**

[§ 42-241. Division of question.

**Any member may require a division of the question which may contain two or more distinct propositions.]**

[§ 42-242. Addressing the Chair.

**No speaker or member shall speak or debate upon any question unless he shall address the Chair standing.]**

[§ 42-243. Members speaking; time allowed.

**No member shall speak more than twice on any question unless by permission of the Council, nor more than once until every member choosing to speak shall have spoken. No member shall be allowed to speak longer than five minutes to explain his vote on any question.]**

[§ 42-244. Deliberations; orderly conduct.

**A. No conversation shall be permitted in the Council that will disturb the deliberations thereof, nor shall any question or resolution be presented or discussed so long as any other matter undisposed of shall be before the Council for deliberation.**

**B. Every member of the Council shall, during its meetings, conduct himself in an orderly and gentlemanly manner, and no personalities nor any conduct or language likely to create any disturbance shall be allowed.]**

[§ 42-245. Votes; reconsideration of.

**When a question has once been put and decided, it shall not be in order for any member voting in the minority on such question to move for the reconsideration of any vote thereof. No motion for the reconsideration of any vote shall be in order unless made prior to the adjournment of the meeting which decided the question, and no question or vote on said subject matter shall be a second time reconsidered.]**

[§ 42-246. Voting; procedure.

**In all propositions involving an appropriation or expenditure of money, or authorizing a sale or lease of City real estate, or of any franchise belonging to or under the control of the City, or when voting to inflict a fine or penalty, or upon appeal questions, the ayes and noes shall be taken, but on all other questions the ayes and noes shall only be taken whenever so required by at least four members.]**

[§ 42-247. Admittance to session of Council; permission required.

**No person except members, ex-members of the Common Council, City officers and official reporters shall be allowed to come within the bar during the session of the Council, without the permission of the Council.]**

[§ 42-248. Standing committees; appointed biennially; vacancies.

**The standing committees shall be appointed biennially, and as soon after the organization as practicable. In case of vacancies in committees they shall be filled by the President Pro Tem. A majority of all committees shall be a quorum for the transaction of business.]**

[§ 42-249. Standing committees; members.

**The standing committees shall each consist of three members, unless otherwise indicated, and shall be as follows:**

**Academies and Schools (five members)**

**Accounts and Appeals (five members)**

**Applications to the Legislature**

**Docks and Ferries**  
**Fire Department**  
**Land**  
**Law**  
**Levels**  
**Markets**  
**Navigation, Trade and Commerce**  
**Police**  
**Printing**  
**Privileges and Elections**  
**Public Buildings (five members)**  
**Public Celebrations and Entertainments (seven members)**  
**Railroads (five members)**  
**Relations of City and County**  
**Streets and Sewers, Northern Section**  
**Streets and Sewers, Southern Section**  
**Streets and Sewers, Western Section**  
**Water (five members)]**

[§ 42-250. Committees; procedure.

**No report of any committee shall be received, nor shall any matter of business be transacted by any committee except a majority of said committee be actually assembled, and in no case unless said committee meeting be called by the Chairman or a majority of said committee, and every member thereof be notified and have a reasonable time to be present at said meeting.]**

[§ 42-251. Committees; powers and authority.

**A. No committee shall have the power of employing any person for or on behalf of the City, or incur any expense except in such cases as herein provided, unless specially authorized by the Common Council.**

**B. Every committee shall have power and authority to send for persons and papers, and examine witnesses under oath, pursuant to the laws of the state, in any matter or proceeding referred to or before it; and such examination, together with all papers and proceedings, shall be returned to the Common Council.]**

[§ 42-252. Returned ordinances with objections by Mayor; procedures.

**A. Upon the return of any ordinance, with objections by the Mayor, the objections shall be read and entered at length on the minutes, and the Clerk shall forthwith cause the same to be published in the corporation newspapers at length one time; and no other action or debate in reference to said matter shall be had thereon at that meeting; and no-action shall be had on said ordinance or objections, at any meeting held less than five days after such objections have been received by the Council.**

**B. When an ordinance has been returned with objections by the Mayor, the question to be put by the Chair shall be, "Shall the ordinance be passed notwithstanding the objections of the Mayor?"**]

§ 42-253. Quorum; members; absent; City Marshal.

**[A.] In case [a less number] the Common Council shall convene with less than a quorum [of the Common Council shall convene] at any regular or special meeting; or, if, while any meeting is in progress, any less number than a quorum shall be present, the majority of the members [of such Common Council] present are authorized to send [the City Marshal, or any other person] a police officer for any or all absent members, as such majority of members shall agree.**

**[B. Such City Marshal or other person so authorized shall have power to arrest such absent member or members and detain him or them until discharged by the Common Council, and for any such neglect to attend, or a violation of any rule of this Council, or for disorderly conduct, such censure or pecuniary penalty or expulsion may be inflicted as they may deem just, on those who shall render no sufficient excuse for their absence, or for violation of rule, or disorderly conduct.]**

[§ 42-254. Common Council members; violations; investigation; secret session.

**When any member of the Common Council shall be charged (which charge shall be in writing, and presented at a meeting of the Common Council) with any violation of any law or ordinance of said City, or resolution, rule or regulation of said Council, the matter shall be referred at said meeting to a committee of investigation of not fewer than five members. The member charged shall have the right to object to not more than two members named on said committee; and the member complaining or charging shall have the same privilege, and other members shall be appointed to fill vacancies thus created. The member charged shall be served with a copy of said charges and notice when said committee shall hear the same. The committee shall then investigate the charges pursuant to such notice, and report to the Council. When the report of**

**any such committee of-investigation shall be considered, the Council may order a secret session for that purpose.]**-

[§ 42-255. Rules; altered, suspended or rescinded; procedures.

**No rule of this Council shall be altered, suspended or rescinded unless by a majority vote of all members elected, and no motion to alter, suspend or rescind any such rule shall be in order without the unanimous consent of the Council, unless notice thereof shall have been given at the previous regular meeting, and no motion to suspend shall embrace more than one rule or relate to any other subject than the one specified in said motion.]**

[§ 42-256. Proceedings of Council; Croswell's Manual.

**The proceedings of this Council shall be governed by the rules as published in Croswell's Manual, in all cases not provided for by the foregoing rules.]**

[§ 42-257. Resolutions; procedures on submitting.

**All resolutions shall be received by the President (or presiding officer), and submitted to the Council in the following order, viz.: from the Aldermen of the several wards as they are numbered in numerical order, commencing with the First Ward at the first regular meeting in January and the following regular meeting commencing with the Nineteenth Ward, and in like manner so alternating at each session of the Council thereafter.]**

§ 42-227 [42-258]. Regular meetings; schedule.

**The regular official meetings of the Council shall be held on the first and third Mondays of each month. The Common Council [board] shall convene at 7:00 [8:00] p.m. Regular meetings of the Common Council may be changed by consent of the Council President, President Pro-Tempore and Majority Leader, when the regular meeting date falls on a holiday, religious or cultural observance. The public shall be notified of the new date as provided in the NYS Open Meetings Law.**

[§ 42-259. Duties of committees.

**A. The Committee on Academies and Schools shall consist of five members, whose duty it shall be to take into consideration all matters and things pertaining to the academies and schools relating to educational matters in said City as shall be referred to it.**

**B. The Committee on Accounts and Appeals shall consist of five members, whose duty it shall be to take into consideration all such accounts, claims and appeals as shall be referred to it.**

**C. The Committee on Applications to the Legislature shall consist of three members, whose duty it shall be to take into consideration and have charge of all statutes and amendments to same proposed or recommended by the Common Council for passage as shall be referred to it.**

- D. The Committee on Docks and Ferries shall consist of three members, whose duty it shall be to consider and report upon any subject relating to the occupancy and repairing of docks and ferries in said City, and such other matters connected therewith as may be referred to it.**
- E. The Fire Department Committee shall consist of three members, and its duty shall be to consider and report upon all matters connected with the Fire Department of the City of Albany, the good government and management, efficiency and expense thereof.**
- F. The Land Committee shall consist of three members, and its duty shall be to consider and report upon any proposed leasing or sale of any City property; and, subject to the special instruction and direction of the Common Council, conduct the leasing or sale of said City property.**
- G. The Law Committee shall consist of three members, who shall be members of the Council, and, with the Corporation Counsel, form the Law Department, according to law and the rules and ordinances of the Common Council.**
- H. The Committee on Levels shall consist of three members. Its duty shall be to consider and report upon any proposition to establish or change any level or grade of any street, sidewalk or alley in said City.**
- I. The Market Committee shall consist of three members, and its duty shall be to consider and report upon any subject connected with the public market of said City, and the regulation and government of the same.**
- J. The Committee on Navigation, Trade and Commerce shall consist of three members. Its duty shall be to consider and report upon all matters connected with the navigation of the Hudson River and the Erie Canal, and the trade and commerce thereof or connected therewith, and such other matters as may be referred to it.**
- K. The Police Committee shall consist of three members, and its duty shall be to examine and report upon all matters connected with the police of said City, including its efficiency and expense.**
- L. The Printing Committee shall consist of three members, and its duty shall be to examine and report upon all matters connected with the printing and stationery authorized by law or the Common Council.**
- M. The Committee on Privileges and Elections shall consist of three members, and its duty shall be to examine and report upon all matters referred to it pertaining to the privileges and conduct of the members of the Common Council, under any rule of said Common Council or law**

of the state; to examine all questions growing out of elections in said City and all questions arising on the election and appointment of any City officer or member of said Common Council.

**N.** The Committee on Public Buildings shall consist of five members, and its duty shall be to take into consideration and report upon all matters relating to the keeping in order and keeping in repair all public buildings and their furniture and appurtenances, except as otherwise provided either by law, ordinance or resolution.

**O.** The Committee on Public Celebrations and Entertainments shall consist of seven members, and it shall have the charge and management of all public celebrations and entertainments authorized by the Common Council; and all matters arising out of or relating thereto shall, when referred to it, be duly considered and reported by it.

**P.** The Railroad Committee shall consist of five members, and its duty shall be to consider and report upon all matters referred to it relating to the railroad corporations; to be careful and vigilant in requiring said corporations to fulfill their compacts with the City; and that the rights of the City and citizens be duly protected; and to report to the Common Council thereon whenever deemed expedient by said Committee or required by said Common Council.

**Q.** The Committee on Relations of City and County shall consist of three members, and its duty shall be to consider and report upon all matters referred to it.

**R.** The Street Committee of the Northern, Southern and Western Sections shall consist of three members each, and its duty shall be to consider and report upon all matters, referred to it relating to the streets, sewers, cesspools, etc., in their respective sections, including the propriety of the change or repair of pavement, or the relaying of sidewalks and carriageways, and the construction or repairing of sewers and cesspools.

(1) The Northern Section embraces all that portion of the City north of the north line of State Street and east of the east line of Eagle Street, and the continuation of said east line of Eagle Street to the south line of Clinton Avenue, and all north of the south line of Clinton Avenue.

(2) The Southern Section embraces all that portion of the City south of the north line of State Street and east of the east line of Eagle Street, including that portion of the late Town of Bethlehem.

(3) The Western Section embraces all that portion of the City west of the east line of Eagle Street and south of the south line of Clinton Avenue.

**S.** The Water Committee shall consist of five members, and its duty shall be to consider and report upon all communications and resolutions and other matters connected with the City

water of said City, or communication relating to the same coming from the Commissioner of Public Works.]

[§ 42-260. Public hearings; publication; Mayor.

Whenever a local law after its passage by the Common Council of the City of Albany shall be presented to the Mayor for approval he shall forthwith fix a date for a public hearing concerning such local law, and cause public notice of the time and place of such hearing to be given. Such notice shall be given by publication for two successive days in the official newspaper or newspapers. Such hearing shall be held not earlier than five days after the day of the last publication of such notice. Such notice shall contain the title of the local law and an explanatory statement concerning the same. The Mayor shall attend at the time and place appointed for such hearing and afford an opportunity for a public hearing concerning such local law. Such hearing may be adjourned from time to time but an adjournment shall not operate to extend the time of the Mayor to approve such local law or return it to the Common Council with his objections pursuant to the City Home Rule Law.]

[§ 42-261. Inventory of property; report to Council; City Treasurer.

It shall be the duty of every City officer, board or commission having in his or its charge any City property to report to the Common Council annually, at the close of the fiscal year, an inventory of the property so held, setting its actual and just value, a copy of which inventory shall also be filed by said City officer, board or commission with the City Treasurer.]

**Section 2.** Section 42-148 of Article XX of Chapter 42 of the Code of the City of Albany is hereby amended as follows:

§ 42-148. Meetings; [Mayor] minutes.

The regular meetings of said Board shall be held at its office on the first and third Tuesdays of each month, at such hour as may be fixed by the Board. Special meetings of said Board shall be held at any time upon the call of the Mayor. The minutes of each meeting shall be distributed to each member of the Board, the Common Council, and to each department head within two weeks of each meeting. At the end of the year the minutes shall be indexed and maintained in a separate binder.

**Section 3.** Section 42-183 of Article XXIV of Chapter 42 of the Code of the City of Albany is hereby amended as follows:

§ 42-183. Power and authority; minutes.

A. The Board of Estimate and Apportionment of the City of Albany shall have power and authority to increase the salary or compensation of any City employee at any time during any fiscal year of the City, either before or after the appointment of any such employee, whether or not such salary or compensation shall previously have been fixed or provided for in the budget of said City for said fiscal year. Any such increases which the Board of Estimate and Apportionment may make after the adoption of the budget for any fiscal year of the City and which shall become effective during said fiscal year may be paid from any available funds or accounts as said Board shall determine. When the salary of the Corporation Counsel or the City Engineer is under consideration by the Board of Estimate and Apportionment, the Treasurer shall temporarily take the place on said Board of either of said members whose salary is under consideration.

**B. The minutes of each meeting shall be distributed to each member of the Board, the Common Council, and to each department head within two weeks of each meeting. At the end of the year the minutes shall be indexed and maintained in a separate binder.**

**Section 4. This ordinance shall take effect immediately.**

*\*Note: Council Member Conti spoke on this ordinance prior to passage.*

*Ordinance Number 4.21.11(As Amended) was Co-Sponsored by Council Members Freeman, Igoe, Konev, Rosenzweig and Sano.*

**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, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith

Affirmative 15 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 Sano offered the following, asked for passage and a roll call vote thereon:

#### **Resolution Number 8.22.11R**

**A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE ELIMINATION OF A SERGEANT POSITION AND THE CREATION OF A LIEUTENANT POSITION IN THE ALBANY POLICE DEPARTMENT**

**WHEREAS**, Section 603(D)(b) of the Charter of the City of Albany requires any personnel titles or salary changes that occur in the City of Albany outside of those described in the duly adopted budget must be consented to by the Common Council; and

**WHEREAS**, it is recognized that the needs of the Albany Police Department require the skills and abilities of a Lieutenant rather than those of a Sergeant.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany consents to the elimination of one current position of Sergeant and the creation of a position of Lieutenant within the Albany Police Department.

**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, Jenkins-Cox, Konev, O’Brien, Rosenzweig, Sano, and Smith

Affirmative 15 Negative 0 Abstain 0

Council Members Fahey, Calsolaro and Conti offered the following, asked for passage and a roll call vote thereon:

**Resolution Number 9.22.11R**

**AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL FUNDING OF THE DELAWARE AVENUE ROAD RECONSTRUCTION ECONOMIC RECOVERY PROJECT(S), CALLING FOR 100% FEDERAL-AID UNDER TITLE 23 U.S. CODE AND APPROPRIATING FUNDS THEREFOR**

**WHEREAS**, the Delaware Avenue Road Reconstruction Economic Recovery Project(s) (hereinafter the "the Projects") in the City of Albany, in Albany County, is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds.

**NOW, THEREFORE**, the City of Albany Common Council duly convened does hereby:

**RESOLVE**, that the Common Council hereby approves the above Projects; and it is hereby further

**RESOLVED**, that the Common Council agrees to advance the Projects through the City of Albany’s resources and agrees that the Common Council hereby authorizes the City of Albany to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from Ordinance No. 17.22.08 the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and it is further

**RESOLVED**, that the City of Albany makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied directly by the New York State

Department of Transportation (hereinafter "NYSDOT") pursuant to the State/Local Agreement; and it is hereby further

**RESOLVED**, that the sum of \$15,050,961.50 (Fifteen million fifty thousand nine hundred sixty one thousand dollars and fifty cents) has already been appropriated from Ordinance Nos. 12.21.06, 17.22.08, 2.12.09 and 28.31.09 and made available to cover the cost of participation in the above phase(s) of the Project(s); and it is further

**RESOLVED**, that the sum of \$475,000.00 (Four hundred seventy five thousand dollars and no cents) is hereby appropriated from and made available to cover the additional cost of participation in the Construction phase(s) of the Project(s); and hereby appropriates from Ordinance No. 17.22.08 the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and it is further

**RESOLVED**, that upon completion of construction of the Projects, or a fully usable portion thereof, the City of Albany agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and it is hereby further

**RESOLVED**, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Common Council shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

**RESOLVED**, that the Mayor of the City of Albany is hereby authorized to execute all necessary Agreements or certifications on behalf of the City of Albany, (subject to the Corporation Counsel's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the City's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

**RESOLVED**, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and it is further

**RESOLVED**, this Resolution shall take effect immediately.

*Resolution Number 9.22.11R 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, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith

Affirmative 15 Negative 0 Abstain 0

**Council Member Conti asked and received majority consent to add Resolution Number 10.22.11R to the pending agenda, which was approved by unanimous voice vote.**

Council Member Herring introduced the following, which was referred to the Planning, Economic Development and Land Use Committee:

**Resolution Number 10.22.11(MC)**

**RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE APPOINTMENT OF TRACY KELLY ABBOTT AS A MEMBER OF THE PLANNING BOARD**

**WHEREAS**, the Mayor of the City of Albany has, pursuant to the provisions of Article 3 of the City Charter appointed Tracy Kelly Abbott as a member of the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that Tracy Kelly Abbott be confirmed as a member of the Planning Board for a term of five (5) years, ending December 31<sup>st</sup>, 2015.

Council Members Fahey and Calsolaro moved to amend Resolution Number 5.21.11R and as amended asked for passage and a roll call thereon:

**Resolution Number 5.21.11R (As Amended)**

**RESOLUTION PROMOTING LOCAL AND REGIONAL FOOD SYSTEM INITIATIVES WITHIN THE CITY OF ALBANY**

**WHEREAS**, the City of Albany is developing a comprehensive plan for the future of Albany, *Albany 2030*, that emphasizes the importance of sustainable resources, development and land use; and

**WHEREAS**, food is a basic necessity and resource, and Albany’s food system must be sustainable to ensure the health and well being of all residents now and in the future; and

**WHEREAS**, “food system” refers to the agents, institutions and processes that link food producers and food consumers; and

**WHEREAS**, the amount of energy expended in a food system through production, processing, transportation and disposal, is indicative of its level of sustainability; and

**WHEREAS**, food that is produced and consumed locally requires less energy as opposed to food that is not produced locally and uses non-renewable fossil fuels to a degree that is unsustainable; and

**WHEREAS**, reliance on food that is not produced locally is an issue of “food security”, placing Albany residents at risk if food could not be produced and/or transported from far distances; and

**WHEREAS**, institutional and residential food waste is upwards of 19% of the solid waste stream in Albany and is currently landfilled, with plans being developed to institute more sustainable solutions that include composting and reduction of food waste; and

**WHEREAS**, improving and fostering local and regional food systems not only has environmental benefits but, also, financial, social and health benefits; and

**WHEREAS**, money spent on food at community based restaurants, markets and other food venues has a greater impact on the local economy because a larger percentage of the profits stay local; and

**WHEREAS**, some Albany residents cannot easily access or afford fresh and healthy foods; and

**WHEREAS**, community gardens, community kitchens, farmers markets, small grocers, and individual family food production and backyard gardening are local alternatives that can improve residents' ability to afford and/or access fresh and healthy foods; and

**WHEREAS**, providing incentives for smaller scale, local food based businesses to develop, such as, small food processors, small-scaled butcher shops, fish farms and fish mongers, would encourage local food production and consumption, and create employment opportunities; and

**WHEREAS**, the community-building that occurs when people work together to produce food is a distinct social benefit; and

**WHEREAS**, increased access to fresh and healthy food will help to reduce diet related health problems such as obesity, malnutrition, chronic diseases and the associated financial costs.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany encourages the City to actively assess and make recommendations to mitigate aspects of food production and consumption that hinder food sustainability.

**BE IT FURTHER RESOLVED**, that the City of Albany Common Council will support policy initiatives to strengthen our local and regional food system in ways that include:

- Increasing residents' opportunities to purchase, grow and produce healthy food;
- Supporting the development of smaller scaled business opportunities;
- Improving the distribution of locally and regionally produced food including supporting local farmer's markets;
- Ensuring that low income communities have increased access within their neighborhoods, and improved and affordable transportation elsewhere to affordable, healthy food;
- Reducing food in the waste stream.

*\*Note: Council Members Fahey, Rosenzweig, Calsolaro, O'Brien and Sano spoke on this resolution prior to passage.*

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

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

Negative – Bailey, Freeman and Jenkins-Cox

Affirmative 12 Negative 3 Abstain 0

Council Member Jenkins-Cox and Co-Sponsors Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith at the request of Common Council President McLaughlin moved to amend RESOLUTION NUMBER 7.21.11R and as amended asked for passage and a roll call vote thereon:

## **RESOLUTION NUMBER 7.21.11R**

### **RESOLUTION COMMEMORATING BLACK HISTORY MONTH 2011 AND HONORING THE EXTRAORDINARY CONTRIBUTIONS OF AFRICAN-AMERICANS TO THE NATION AND THE CITY OF ALBANY**

**WHEREAS**, African-Americans have provided much labor, intellect, creativity, strength and leadership that has made the United States of America a great place to live and a leader in the attainment of freedom and justice in the modern world, and

**WHEREAS**, African-Americans have also supplied much of the labor, intellect, creativity, strength and leadership that built the City of Albany and its many neighborhoods and communities since colonial times and played a major role in the justice and freedom seeking activities of the Underground Railroad, and

**WHEREAS**, the extraordinary role of African-Americans in the nation as a whole and Albany in particular has too often been overlooked by both well-meaning individuals and those blinded by the legacy of racism left in the wake of our nation's history of slavery and bondage, and

**WHEREAS**, despite the many obstacles placed in the way of generations of African-Americans, they have proven their ability to keep the dream of freedom and racial justice alive by constantly striving to overcome those who would limit their educational and economic opportunities by restricting their choices and limiting their options through the use of Jim Crow laws, poll taxes and other restrictions, and

**WHEREAS**, the sacrifices and successes of those many generations of African-Americans led to the establishment of churches known for their religious leadership, the founding of historically black colleges and universities responsible for educating millions throughout the nation, entrepreneurs who have created thousands of jobs, and the flourishing of a rich cultural and artistic heritage that has contributed greatly to our nation and beyond, and

**WHEREAS**, efforts to restrict the rights of African-Americans have continued to this day and the struggle against racism remains a crucial battle throughout our nation generally and the City of Albany specifically that is directly relevant to our communities, and

**WHEREAS**, the intellect, creativity and leadership of African-Americans throughout the City of Albany's history remains a largely untold story and it is important for all residents of our City to become familiar with it, and

**WHEREAS**, Black History Month celebrations raise awareness and have proven to be valuable tools in drawing attention to contributions made by African-Americans to the United States, and

**WHEREAS**, it is important for the Common Council, as the legislative body that represents all residents of the City of Albany to commemorate the valuable contributions of African-Americans to the city and the nation, and

**WHEREAS**, the **1st Ward** is proud and honored to recognize **Iselene "Tiny" Sanders** for Black History Month 2011. Iselene is affectionately known by her neighbors and friends as "Tiny," has been a resident of her Second Avenue neighborhood for twenty years. "Tiny" has been active in the Second Avenue Neighborhood Association (SANA) since the Association was revitalized in 1997. She was a member of the original SANA Walk & Watch program that was initiated as part of the United States Department of Justice's Weed and Seed program in Albany's South End. As a Walk & Watch participant, Tiny enrolled in the Albany Police Department's Citizen's Police Academy and received her Certificate of Achievement in 1998. In addition to her active participation in SANA, Tiny is a great help to her neighbors on Raymo Street, especially when it comes to gardening advice. Tiny has laid out designs for plantings and landscaping, and has even done the plantings, for her neighbors, making Raymo Street a very attractive street in the Second Avenue neighborhood. Tiny's efforts to help beautify Raymo Street were recognized in 2009, when she was the winner of the Evelyn Sturdevan Front Yard Tulip Contest. Beyond her active involvement in community affairs, Tiny's love of gardening led her to become a seasonal employee with the City of Albany for more than ten years now. Tiny works with the City's planting crews and is responsible for the flower beds in Washington Park, South Manning Boulevard and New Scotland Avenue, Rte. 9W, and the Visitors Center, just to name a few. Tiny's efforts and workmanship in beautifying Albany were recognized by Mayor Jennings in 1999 when he declared September 1, 1999 as "Iselene 'Tiny' Sanders Day" in the City of Albany. Tiny's work in Washington Park was also recognized in 2009 at the "Champagne on the Park Celebration" event. Albany's First Ward sends a huge thank you to Iselene Sanders, whose nickname "Tiny" does not do justice to the size of her heart. Congratulations "Tiny" for being the First Ward's 2011 Black History Month's honoree; and

**WHEREAS**, the **2<sup>nd</sup> Ward** recognizes and honors **Anne Pope**, the Regional I Director, Northeast Region, NYS National Association for the Advancement of Colored People (NAACP). She is also the Vice-Chair of the Martin Luther King, Jr. and Coretta Scott King Lecture Series on Race and Nonviolent Social Change of Siena College. She recently retired from her position as Director of the New York African American Institute, State University of New York System Administration where she worked for 20 years. She is past president of the Albany Branch of the NAACP, where she served diligently in that position for 20 years. As a civil rights activist and a long time advocate for social justice and human rights for people of color and other disadvantaged and disenfranchised, she has led the fight for civil rights and human dignity for many years. In her position as Branch President, she successfully organized a rally against the Ku Klux Klan at the State Capital drawing together more than 2500 people in protest to the appearance of the Klan. She is a champion for the voting rights of African Americans. Using the Voting Rights Act of 1965 and the Civil Rights Act of 1964, she successfully spearheaded the fight to increase the number of majority-minority legislative districts in Albany County in 1991 and 2003 to ensure the minority community the ability to elect representatives of its own choosing. Additionally, she saw to it that the number of majority/minority wards in the City of Albany was increased from one to four. Ms. Pope was in the forefront of several successful lawsuits against Albany County. One of which, with the assistance of the National NAACP was settled in a consent decree in 1993. Another in November of 2006 outlawing voter fraud in Albany County which

limits the number of absentee ballots individuals can handle. Ms. Pope is committed to the children of Albany. In her role as President of the Albany NAACP she worked on holding the City School District accountable for the education of children of color. She served on the Albany School District Magnet School Steering Committee and the district's Strategic Planning Committee. She has successfully advocated for more teachers of color, elimination of tracking of students of color and the reduction of suspension of students of color. She has spent a lifetime representing parents and students at Superintendent's hearing – working to ensure fair and open hearings and access to justice. She was in the forefront of bringing justice to a mentally ill African American man who was wrongfully shot and killed by Albany policeman. The protests and public forums engaged in by the Albany NAACP under her leadership resulted in the creation of a Community Police Relations Board and ultimately the establishment of a Civilian Review Board as well as the establishment of a Trauma unit to handle incidences involving mentally ill citizens. Anne has championed for many years the fight to eliminate police brutality perpetrated by police against people of color most especially African American men. Those incidences have been drastically reduced. Anne was a part of the passage of many state laws and bills including the Hate Crimes Bill. As Branch president she was often called upon to give testimony on issues pertaining to the quality of life of New Yorkers. Anne has attended every major civil rights march on Washington over the past 40 years. She is active in her church, Union Missionary Baptist Church where she serves as Sunday School teacher and Director of Christian Education. Ms. Pope grew up in the segregated south. She is a native of Shubuta, Mississippi; a small town in central Mississippi where she attended segregated schools and experienced racial discrimination firsthand. Her life experiences and her love for people motivated her to seek justice and to eradicate injustice and discrimination wherever it existed. She is very active in her community serving on many Boards and Councils. She recently became a board member of the New York Civil Liberties union. For her dedication and commitment, her tenacity and her persistence, she has received numerous commendations and awards. Among them, the Governor's Woman of Distinction Award, African American Leaders of Distinction in State Service Award, Circle of Humanity Award from Temple Israel, NAACP Lifetime Achievement Award, YWCA Tribute to Women Award, the Jim Perry Progressive Leadership Award and the Chamber of Commerce Women of Excellence Award. She will be honored by the Senior Service Center in November by receiving the Third Age Achievement Award. Ms. Pope believes in and practices Dr. King's philosophy of nonviolence. She believes there are peaceful ways to solve issues without conflict for the benefit of not just a limited number but for all involved. Her favorite quote from Dr. King is "I submit to you, if a man hasn't found something that he will die for he isn't fit to live". She lives her life each and every day trying to make the world a better place to live, work and worship.

**WHEREAS**, the 3<sup>rd</sup> Ward applauds the commitment and service of **Denia Van Houter**. Ms. Van Houter serves as a representative of the 3<sup>rd</sup> Ward on the Albany Community Policing Advisory Committee to develop the Police Department's new Neighborhood Enhancement Unit. As a Committeeperson for the 3<sup>rd</sup> Ward 5<sup>th</sup> District known as Sheridan Hollow/Arbor Hill, she actively addresses community-specific concerns. She also actively pursues voter registration and community participation in elections for the betterment of the community as an a Board of Elections Inspector. Under the inspiration of Mrs. Emily Grissom, Ms. Van Houter served as President of the Sheridan Hollow Neighborhood Association and promoted community programs, stronger relationships with the Albany Police Department and supported political activities that enhanced the quality of life of residents of the neighborhood. She is a lifetime member of the Israel African Methodist Episcopal (A.M.E.) Church and serves as Vice President of the Social Action Commission to promote political and social change towards a more spiritual-based worldly environment. She is a board member of the God With Us (GWU) Center, formerly the YMCA and Board Member of the Interfaith Alliance of NYS, Capital District Chapter. She has previously served as President of Tackling Racism in Albany

County (TRAC) to improve race relations and conduct cultural diversity training programs. As a former Director of the Affirmative Action Office for Albany County she was responsible for the County's Equal Employment Opportunity programs, and

**WHEREAS**, the **4<sup>th</sup> Ward** nominates and honors **Alberta Chambliss**. Ms. Chambliss moved to Albany from New York City in 2002 and has been a resident of Arbor Hill since 2003. In the relatively short time that Ms. Chambliss has lived in Albany, she has contributed much to the well being and quality of life of her neighborhood. Ms. Chambliss energetically and generously gives of herself and is a highly effective leader in the community. Ms. Chambliss arrived here as a displaced homemaker and immediately began to participate in training programs offered by the Albany Housing Authority in order to enhance her job skills. Ms. Chambliss went on to earn an Associate's degree in accounting from Hudson Valley Community College where she was the recipient of a Diversity Scholarship. She currently utilizes her training in her position with the New York State Tax Department and she has also worked for the New York State Health Department and the Department of Corrections. In 2010 Ms. Chambliss received a certificate from the national "Workin' It Out" job skills program as an instructor/trainer for Welfare to Work and for Beginning to Work It Out for At-risk Youth. Ms. Chambliss has conveyed the importance of education and a strong work ethic to her four children. Three of them have earned Bachelor's or Associate's degrees. Her youngest daughter will receive her Associate's degree in May of this year. In 2003 Ms. Chambliss moved to Ida Yarbrough and became a member of the Tenants Association. In June of 2003 she accepted the responsibility of serving as president of the association for the low rise and was in that position through 2004. In 2003 Ms. Chambliss became secretary of the Albany Housing Authority's Tenant Leadership Council and served in that position until the council disbanded. Ms. Chambliss's civic involvement has included volunteering for several political campaigns, working with Citizen Action, and mentoring students at Philip Livingston Magnet Academy. In 2009 Ms. Chambliss's neighbors begged her to get involved again in the Ida Yarbrough Tenants Association which by that time had consolidated both the high rise and low rise organizations. She is currently the president of the Tenants Association. Under her leadership the community store at Ida Yarbrough has reopened and since October 2010 there has been a well organized Tenants Patrol which works with the Albany Housing Authority and the Albany Police Department to maintain safety and improve quality of life for residents of Ida Yarbrough. Ms. Chambliss views her community involvement as a way of honoring the African American traditions of our ancestors. She works to instill a sense of self worth, pride, and collective responsibility. She works to help people to empower themselves. Ms. Chambliss believes that we have got to work together and states that she gets her reward when she sees the results. The results of her work have been significant. We are fortunate to have her as a resident of the Fourth Ward and the City of Albany, and

**WHEREAS**, the **5<sup>th</sup> Ward** proudly nominates **Robert Gibson** as it's 2010 Black History Month honoree. Robert Gibson is a devoted husband to his wife Colleen Gibson; he has been married for twenty-five years. He is the father of 4 children, Javon Gibson, Rashonda Latimer and Robert Jr. Russell Gibson. He is the grandfather of five. Mr. Gibson has worked for the Albany City School District for the past thirteen years. He enjoys fishing and uses this hobby to teach local youth that have never fished how to fish, proving to the kids that there is more out there than street violence. Mr. Gibson is a very good mechanic and enjoys working on cars. He is very committed to his community. He is a trailblazer and has always been helpful whenever organizing is needed for block events, informational tables and the like. Mr. Gibson does his part in making the community aware of the services that are available to them. In times of hardship, this man is known to gather local neighbors to find a way to bring peace and a sense of calm to the neighborhood, and

**WHEREAS**, the **6<sup>th</sup> Ward** recognizes the **“We Are Part of You”** campaign (also known as the “I Am Gay” campaign) which began December 6, 2010 and runs through February 28, 2011 and which is sponsored by In Our Own Voices, an organization dedicated to addressing the many needs of LGBT Communities of Color which is located in the 6<sup>th</sup> Ward at 245 Lark Street. The campaign is featured on billboards, CDTA buses and shelters in Albany, Schenectady, Rensselaer, and Montgomery Counties and depicts Black Gay Men in familial, religious, and recreational settings with the tag line: “We have always been a part of this community. We are your sons, fathers, brothers, uncles, nephews, and friends. It's time to treat us with the love we deserve.” The “We Are Part of You” campaign was initially launched in 2007 in New York City to address the rise in HIV cases among Black Gay Men (BGM) which were believed to be caused in part by the stigmatization of Homosexuality in the Black Community. As In Our Own Voices (IOOV) seeks to promote the health and well-being of Lesbian, Gay, Bisexual, and Transgender People of Color, they have brought this campaign to the Capital Region. According to In Our Own Voices, the “We Are Part of You” campaign “... is about challenging the belief that our lives don't matter and aren't worth saving. It exposes and confronts homophobia, which we see in the form of inaction, silence and even violence. It interrupts that silence with a loud voice: Black gay men's lives matter!”. While the campaign has met with some controversy, it is an important effort to address the social context that contributes to the rising rates of HIV among Black Gay Men who may be reluctant to be tested because of the stigma and bigotry they experience in their home communities. In Our Own Voices is to be commended and recognized for bringing this campaign and message to the Capital Region and for this reason we recognize the “We Are Part of You” campaign; and

**WHEREAS**, the **7<sup>th</sup> Ward** is proud to recognize and honor **Judge Helena Heath-Roland** during Black History Month 2011 for her notable accomplishments and many years of community service. On April 22, 2005, Judge Helena Heath-Roland was appointed Albany City Court Judge to fill a vacancy on that Court and became the first female of African descent to serve in this position in the City of Albany's 319 year history. She was then elected on November 8, 2005 to a full term of office. During high school, Judge Heath-Roland participated in a legal internship program working with an attorney on landlord-tenant cases. It was this experience that solidified her desire to become an attorney to help others and to promote social justice and racial equality. While attending John Jay College of Criminal Justice, Judge Heath-Roland served as a volunteer auxiliary police officer in Queens, NY, and worked with children at a shelter for battered women and their children in Harlem, NY. Judge Heath-Roland graduated from New York University School of Law in 1987 where she was awarded the prestigious Root-Tilden-Snow Scholarship based upon her academic excellence and her commitment to public service law. During law school, she pursued her interest in becoming a public service attorney by working for the Legal Aid Society and volunteering to assist at risk youth secure summer employment. In 1994, she organized a local effort in the City of Albany that resulted in establishing a Children's Center at Albany County Family Court. Since the Children Center's creation, Judge Heath-Roland has served as Chair of the Center's Advisory Committee to ensure that children are cared for in a safe and nurturing environment while their families take care of court business. Judge Heath-Roland is currently the Co-Chair of the Diversity and Gender Fairness Committee of the Capital District Women's Bar Association and Co-Chair of the Youth and Law Committee of the Capital District Black and Hispanic Bar Association. She has coordinated programs for the past fourteen years with Albany Law School to expose female and minority law students to a variety of career paths, share keys to becoming a successful lawyer, and explore how female and minority attorneys can overcome gender and racial barriers in the legal profession. Judge Heath-Roland also is a mentor to young students participating in the Albany NAACP's Rosa Parks Literacy Education Academy reading and writing program, and

**WHEREAS**, the 8<sup>th</sup> Ward is privileged to have the opportunity to honor **Herbert McLaughlin**. Mr. McLaughlin spent 32 years working for the New York State Department of Correctional Services serving in various capacities, from counselor to Superintendent of the Hudson Correctional Facility. Born in Waynesboro Mississippi, he was brought to Albany as a child and is a product of the Albany City School District, graduating from Philip Schuyler High School. His professional career was initiated working for Job Corp, which provides training for disadvantaged youth between the ages of 16-21. He developed a love for human service work while attending Murray State University in Kentucky. After completing his degree, he returned to Albany to further his work experience with the Albany County Health Department as a Drug Counselor. His work at the Health Department inspired passion and attitude about law enforcement and human service work. Throughout his career Herb has provided a positive role model for men who found themselves on the wrong side of the law. Mr. McLaughlin's career with the NYS Department of Correctional Services began after the Attica Correctional Facility uprising of 1971, as part of the first group of Black and Hispanic social workers hired by the department. He was first assigned to the Great Meadows Correctional Facility and a year later transferred to the Cossackie Correctional Facility. While at Cossackie Correctional Facility, he witnessed the abuse of an inmate. His moral standards and personal integrity compelled him to report the incident. This action required a great deal of courage. His response caught the attention of the Commissioner of Correctional Services, who then promoted Herb to Director of Correctional Guidance. In this role he was responsible for a statewide staff of 700 personnel. This new position took him to the DOCS main office at the State Office Campus. He later returned to working in a correctional facility when he was again promoted, this time to the position of First Deputy Superintendent of a maximum security facility, which had at least 1,000 inmates and a staff of over 400 people. It was during this period that HIV/AIDS treatment and policies were just being formulated and the administration of these policies required rational precision and compassion for the human condition, even in a correctional facility. Herb was ably suited to ensure the implementation of the new policies within the confines of a state facility. Additionally, upon returning to Cossackie Correctional Facility, Herb began to develop programs that would assist inmates in preparing themselves for their future outside of prison walls. One such program was *Maximized Manhood*. Finally, he was promoted to the Superintendent (Warden) of the Hudson Correctional Facility where he continued to create an atmosphere and develop programs that encouraged inmates to enhance their lives and reduce their possibility of returning to prison. As a result of his work McLaughlin was the subject of a story by Channel 13 (WNYT) news discussing programs of the Hudson Facility such as the Maximize Manhood Program. Retired since 2004, Herb has served as a consultant for the *American Correctional Association*. In this capacity he has traveled around the country evaluating state prison systems. His personal mission is to continue to share his life experience to help those who are inmates and to impart wisdom to those considering a career in correctional services, and

**WHEREAS**, the 9<sup>th</sup> Ward applauds the commitment and service of **Alice P. Green**. Ms. Green has been a resident of Albany for over 45 years. After teaching high school for a year in Rochester, New York, she returned to teach briefly in the Albany City School District and complete her masters degrees in education and social work. Hired by Trinity Institution, Inc. as a youth and family services worker, she was eventually appointed its Executive Director, serving the agency for more than 15 years. Deeply concerned about police brutality, the adverse impact of the criminal justice system on the poor and people of color, and institutional racism, she decided to study criminology and the criminal justice system. Green received her Doctorate in Criminal Justice from the University at Albany. She then embarked upon a mission to work for positive changes in policing, the civil legal and criminal justice systems and social policies. Her major involvements and accomplishments include: directing the Albany office of the New York Civil Liberties Union; chairing

the Legal Redress Committee of the Albany Chapter NAACP; founding of the South End Scene Newspaper; founding of the Center for Law & Justice, Inc.; serving as a member of the Mayor's Police Chief Advisory and Selection Committee; serving on the first Community/Police Relations Board and assisting in the establishment of the current Albany Citizens Police Review Board; working as the Deputy Commission for Policy and Planning at the New York State Division of Probation and Correctional Alternative as appointed by Governor Mario Cuomo; and volunteering to work with New York State prisoners inside many of the State's maximum security prisons. Alice Green is also the author of a number of articles and the co-author of three books: Law Never Here, African American Responses to Crime and Social Justice Issues, Wicked Albany, and a soon-to-be-published book on a history of Danville, Virginia. A fourth is being written on the history of African Americans in Albany, NY. In addition, Dr. Green has served on a number of not-for-profit boards, including the Fund for Modern Courts, and currently serves on advisory boards of the New York State Defenders Association and the Capital District Chapter of the New York Civil Liberties Union. In recognition and appreciation of her work, Alice Green has received awards from a number of civil and legal rights groups and organizations including: Albany Chapter, NAACP; New York State Defenders Association; New York State Bar Association; Capital District Chapter of the NYCLU; University at Albany, Alumni Association; Albany School of Criminal Justice; Social Justice Center; Project Equinox; Israel AME Church; and several state and federal prisoner groups. Alice Green takes great pride in her significant involvement in working with an empowered Albany community that insisted on a change in the culture of the Albany Police Department and its adoption of a community policing philosophy and strategy for change.

**WHEREAS**, the 10<sup>th</sup> Ward proudly acknowledges **Torrie Chapple-Chapman** as our Black History 2011 honoree. Torrie is a life long resident of Albany. For 25 years she has volunteered her time at the American Little League, at Veterans' Memorial Park located in the south end of Albany. She has worn many hats during her time with the program. She has been a coach, parent auxiliary coordinator, player agent and currently holds the position of Vice President of the League. She is currently employed by the City School District of Albany where her countless connections with the community through volunteerism have been essential to her success. She works side by side with parents of her former little leaguers as she tries to mold the student's into model upstanding citizens of the community. Torrie is married to Aaron Chapman; they have 7 children and 5 grandchildren; and

**WHEREAS**, the 11<sup>th</sup> Ward is privileged to have the opportunity to honor **Randolph F. Treece**. Mr. Treece was appointed on April 26, 2001 as a Magistrate Judge to the United States District Court for the Northern District of New York. Mr. Treece is the first African-American to be appointed to the federal judiciary in the Northern District of New York and the first person of color to be appointed or elected to the judiciary at any level, state or federal, in 104 years in eastern, upstate New York. Prior to his appointment as Magistrate Judge, Mr. Treece served as Counsel to the Office of the State Comptroller in H. Carl McCall's administration and directed and coordinated all aspects of the Division of Legal Services in accordance with the Comptroller's overall goals, objectives and philosophy. Prior to his appointment as Counsel in February 1999, Mr. Treece served as First Deputy Capital Defender of the New York State Capital Defender Office, appointed in September 1995 to manage the Albany Office and provide trial level representation to those accused of murder in the first degree who may face the sentence of death. Randy Treece was born and raised in Troy, New York, the oldest of three children of Marguerite Smith and John Treece. Mr. Treece graduated from Siena College in 1970 with a B.B.A. in Accounting. After graduation, he worked with the big eight accounting firm of Peat, Marwick and Mitchell until he entered Albany Law School in 1973. He earned a Juris Doctorate from Albany Law School in 1976 and promptly commenced a private practice, specializing in criminal law and litigation. While in private practice, he also served as an

Assistant Public Defender for Rensselaer County and taught at two area junior colleges. During his stint as Assistant Public Defender, he handled hundreds of cases in all of the trial courts and served as lead trial counsel on several high profile criminal cases. In 1987 Mr. Treece joined the New York State Department of Law as an Assistant Attorney General, practicing civil litigation until September 1995. There he handled many voluminous and complex tort cases filed against the State. In 1989, Mr. Treece was appointed an adjunct professor at Albany Law School, a position he presently maintains. In addition to teaching trial tactics, Mr. Treece has instructed a public defender criminal law clinic, conducted legal educational seminars, and occasionally is asked to be a guest lecturer in other law school classes as well as at other law schools and colleges. Mr. Treece possesses a strong commitment to his community and has served on countless community boards of directors. He is a member of the Board of Trustees of Albany Law School, the Board of Trustee of the Capital District YMCA, and former Board Trustee at Hudson Valley Community College and Siena College. He served on three committees of the New York State Bar Association and as a former delegate to the House of Delegates. He also served on the Board of Director's of the New York Bar Foundation as Treasurer. He has served on the Board of Directors of the Albany County Bar Association for approximately ten years, serving as Treasurer of this association and served as Chair of the By-Laws Committee and the Association's Minority Lawyers Subcommittee and is the author of this Association's Minority Hiring Project and Diversity Internship Fellowship Program. He served as Board Member, Executive Vice-Chair and Acting Chair in 1996 of the Urban League of Northeastern New York, Inc. In addition, he has served on the Honorary Board of the Women's Law Project, Advisory Board of Albany Law School's Government Law Center, Advisory Board of Albany Law School-NAACP Legal Assistance Program and is one of the founders and former President of the Capital District Black Bar Association, now the Capital District Black and Hispanic Bar Association, and served as the President of the National Bar Association Region II Bar Foundation. The Chief Judge of the New York Court System, Judith Kaye, appointed Mr. Treece to serve on the Jury Project that recommended many significant improvements to New York State's jury system. He also sat on the New York State Bar Association's Judicial Selection Committee and for five (5) years served in a similar capacity for the City of Albany. Mr. Treece has been the recipient of an array of honors and awards including the Thurgood Marshall Justice Award from the Albany Chapter of the NAACP, the Roland J. Smith Award for exemplary legal service from the New York Chapter of American Civil Liberties Union, the McNamee Award for outstanding services as a Board Member of the Urban League of Northeastern New York, the Distinguished Service Award and the Distinguished Alumni in Government Award from the Albany Law School Alumni Association, the 1999 President's Award from the Albany County Bar Association, the 2001 Citizen of the Year from Omega Phi Psi, the Frederick Douglas Award from the Center for Law and Justice, the Millennium Award from the New York State Franklin H. Williams Judicial Commission on Minorities, the Distinguished Service to Attorneys of Color Award from the Capital District Black and Hispanic Bar Association, the Outstanding Leadership Award from the Troy Chapter of the NAACP, and the President's Award for 2009 from the Capital District YMCA. Over the years, Mr. Treece has been active in many school and community discussions and presentations to students of all ages and grades. He coauthored an interdisciplinary education project for elementary schools entitled, "Crime on a Sesame Seed Bun". Mr. Treece assists the Albany YMCA with its youth basketball league, coached youth basketball teams and has given tennis instructions. Mr. Treece has delivered speeches in the community on a variety of legal topics and has served as a panelist on many community and legal forums. Mr. Treece remains an active athlete. He continues his competitive interest in basketball, tennis and fitness. A jazz aficionado, he pursues this art and its artists with loving devotion. To that end, he writes a jazz review for a local jazz society. Mr. Treece is married to Deborah S. Day-Treece. He has one child, Shani Anasa Treece, who graduated from Hampton University with honors. He is the proud grandfather of Nzinga Anasa Braswell born May 3, 1999 and godfather to several young boys; and

**WHEREAS, the 12<sup>th</sup> Ward** recognizes and honors **Rodney and Yvette Freeman**. Rodney Freeman was born and raised in Albany as one of six children born to Bettye and Harold Freeman. Rodney resided in downtown Albany at 230 Green Street and he attended Giffen Elementary up until sixth grade. His family moved to the Selkirk area where he continued his education graduating from Ravena-Coeymans-Selkirk High School. Rodney started working for Albany Medical Center Hospital in 1984. In 1990 he left AMCH to work for the NYS Department of Corrections. Rodney has been a corrections officer for the past 21 years. Rodney and his wife Yvette attend Mount Pleasant Baptist Church under the Reverend William E. Morgan. Rodney is the father of two boys, Quienten and Ziare. Rodney is an avid fisherman, loves tennis, basketball and working on cars. Yvette Freeman, was born and raised in the Bronx as one of nine children born to Hezekiah Robert Jordan and Cynthia Elizabeth Jordan. She graduated from Walton High School in the Bronx. In the 1990's Yvette moved to Schenectady, attended HVCC and graduated from the dental assistant program. She worked at GHI Family Dental practice from 1995 until 2006. She currently works at Hudson Dental on Central Avenue. Yvette is a member of Mount Pleasant Praise Dance Ministry where she taught African dance for many years to youth. She loves bike riding, tennis, and clothes fashion; and

**WHEREAS, the 13<sup>th</sup> Ward** recognizes **Alvania Hill** for her contributions to the community. Mrs. Alvania Hill is a retired teacher of 21 years from the City School District of Albany. She was chosen by the Albany Board of Education to study Open Education at the University of Manchester, Manchester, England. She taught Open Education to teachers in preparation for the opening of the Arbor Hill School. As part of her academic and employment highlights, Mrs. Hill designed and implemented a program for pre-first grade students to advance to the 2<sup>nd</sup> grade. She has piloted various reading programs including Program Reading, Reading Recovery and Whole Language. Through her many years of teaching and instructing, she was very involved in the academic lives of the children in the school district. In addition, after her retirement, she served as the coordinator for the after school enrichment program at the Thomas O'Brien Academy for Science and Technology and participated in various other after school programs. She served as a mentor for the Albany School District and the College of St. Rose. Mrs. Hill is well known throughout the Capital District and beyond. She is the past President of the Board of Trustees at the New Covenant Charter School where she had been involved since inception and her name appears on the outside plaque of the school. Mrs. Hill is a member and steward of the Historic First Israel A.M.E Church where she has been a member for over 40 years. She is also a member of the Delta Mu Omega Chapter of Alpha Kappa Alpha Sorority, Inc. and serves as Chairman of the Courtesy Committee. She exhibits a true dedication of service in all that she involves herself in. Mrs. Hill was educated in the Evanston, Illinois public schools, West Virginia State College, and the College of St. Rose. She came to Albany, NY 54 years ago. Her love for the education of children is well known through the many organizations in which she worked to enhance the education of children. She has received many awards including the Alpha Kappa Alpha Sorority Teacher's Award; the NYS Governor's Harriet Tubman Award; the Albany Public School's Life Member Award; and the First Israel A.M.E. Church Women of the Year Award. She is also a member of the Maria Lawton Civic and Cultural Club, the Grace T. Green Library Board and a member "God With Us." Mrs. Hill is the wife of Dr. Mars A. Hill, the mother of Joffrey Hill, Esq and his wife Vernita Sias-Hill, Esq. of Plainfield, New Jersey and she is the proud grandmother of Imani K. Hill and Kieara L. Hill, and

**WHEREAS, the 14<sup>th</sup> Ward** recognizes and honors **Vincent C. Thomas**. Mr. Thomas is currently a Senior Program Associate in the New York State Senate. During the transition in executive control of New York State government, Mr. Thomas was involved in the development of policy and legislation in the area of new priorities identified by the Senate Democratic Conference. Pending

legislation in the Senate sponsored by the Temporary President of the Senate, Malcolm A. Smith upgrading support and accountability mechanisms for the utilization of minority and women's business enterprises by state agencies, authorities and the university system has been a core activity for Mr. Thomas. New strategies for economic development, including public university driven public/private partnerships and economic revitalization projects in central New York are also priorities in Mr. Thomas' work. Prior to his work in the Senate, Vincent Thomas had been the Economic Development Specialist for the New York State Assembly Standing Committee on Corporations, Authorities and Commissions during the chairmanships of Assemblymen Albert Vann and Richard L. Brodsky. Mr. Thomas also was an active staff participant with the Telecommunications and Energy Committee for the National Black Caucus of State Legislators (NBCSL), specializing in the identification of opportunities for minority and small businesses in the era of transition from monopoly to competitive markets in both the telecommunications and energy sectors. He is a co-author of the book, Blackout? Media Ownership Concentration and the Future of Black Radio, a publication of the DuBois/Bunch Center for Public Policy at Medgar Evers College. As an exploration of the impact of the Telecommunications Act of 1996 on radio broadcasting, it reflects Mr. Thomas' roots in the broadcast advocacy movement, beginning with Black Efforts for Soul in Television (BEST) in 1969. Energy has become an additional area of expertise during Mr. Thomas' work with various legislative organizations. In 1997, he organized the first symposium on electric restructuring on behalf of the National Black Caucus of State Legislators. His work has evolved to include right of way issues for new transmission lines, siting of generation plants, environmental concerns, the impact of competitive electric generation on island communities and the support mechanisms for energy lifeline assistance to those temporarily out of work or underemployed. Mr. Thomas' current work was built on activity as a Policy Analyst for the New York State Department of Economic Development specializing in telecommunications policy and international commerce issues. This included a policy strategy to the governor on the preservation of the headquarters of the United Nations in New York City, developing a telecommunications business exchange between New York State and the Jiangsu Province in China, and designing an Exchange initiative between New York State and South Africa. Mr. Thomas has also been very active as a member of the Board of the Alliance for Public Technology. APT was an umbrella organization of non-profit institutions, state and local government and advocacy groups dedicated to ensuring that the public generally, and at risk populations specifically have access to the new information technologies that can enhance opportunity and civic participation by all. Vincent Thomas continues to be an active participant in public policy development activities, participating in the development of a public policy document by the Columbia Institute for Tele-Information at Columbia University on the uneven economic fortunes of the telecommunications industry globally and helped draft the reports of the Institute for Civil Infrastructure Systems (ICIS), part of the Wagner School at New York University. Prior to joining New York State Government, Mr. Thomas led an active career in broadcasting as well as communications advocacy. As General Manager or management consultant, he has upgraded or placed on the air five non-commercial radio stations in major markets along the Northeast corridor. Mr. Thomas' international experience includes organizing and leading business and cultural delegations to Brazil. He has lectured on the utilization of telecommunications as a strategic industry for global competitiveness and as a spur for technology transfer opportunities at an international conference on technology transfer in Bahia, Brazil. Vincent C. Thomas is a graduate of Brown University with a BA in Communications. He is a recent graduate of Harvard University's Kennedy School of Government Executive Program—Infrastructure in a Market Economy: Public/Private Partnerships in a Changing World. Mr. Thomas is a native Washingtonian currently living in Albany, N.Y., and

**WHEREAS**, the 15<sup>th</sup> Ward proudly recognizes **Ralph E. McCann** during Black History Month. Ralph is the 5<sup>th</sup> youngest son of the late Daniel & Elizabeth McCann and has resided in the

Capital District area all of his life. Mr. McCann is a graduate of Albany High School and Spencer Business Institute graduating with a degree in Court Reporting. He served in the United States Army and Army Reserves and was honorably discharged. Mr. McCann is retired from the New York State Police where he was employed for over 42 years. During his employment he served as President of CSEA Local 697 of the New York State Police. He is married to Mattie McCann and they have one son, Aaron McCann. Mr. McCann and his wife live on Rapp Road in a house built by his father and older siblings during the late 40's. This section of Rapp Road was designated on both the national and state registers as an historic community. He is a past President of the Kiwanis International of Latham New York. He is a member of the Wilborn Temple 1<sup>st</sup> Church of God in Christ and serves on the Deacon and Trustee Board of the Church.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albany Common Council, acting on behalf of all the people of the City of Albany, hereby commemorates February 2011 as Black History Month, and pauses in its deliberation to honor the sacrifices and contributions made by African-Americans.

**BE, IT FURTHER, RESOLVED**, that the Common Council honors all of the nominees in recognition of their leadership, service, and contributions to civic life throughout the City of Albany.

*\*Note: Council President McLaughlin and Council Member 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, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano, and Smith

Affirmative 15 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 Herring offered the following, which was approved by unanimous voice vote:

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2012, AND WAIVE THE READING OF THE NAMES:

Trichilo, Natalie J, 12 Wendell Drive, Albany, NY 12205

Council Member Commisso requested that Council Members Calsolaro and Konev be added as Co-Sponsors to Resolution Number 124.123.10R.

Council Members Konev, Smith, Jenkins-Cox, Calsolaro, O'Brien, Fahey and Bailey discussed the Capital Resource Corporation (CRC) Board's decision regarding Brighter Choice Charter School.

### **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 February 24<sup>th</sup>, 2011.

CASHAWNA PARKER  
SENIOR LEGISLATIVE AIDE TO THE  
ALBANY COMMON COUNCIL