

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

Thursday, September 4, 2008

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

The roll being called, the following answered to their names: Council Members Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Smith and Timmons.

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

Council Member Calsolaro led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

1. Artie Darrell, 26 Marwood Ave., Albany, NY (AFD Hiring)
2. Lois Hatignere, Coordinator NYS Pay Equity Coalition (Support Resolution 71.91.08R)
3. Maggie Moehringer, League of Women Voters, 12 Covinger Rd., Glenmont, NY (Support Resolution 71.91.08R)
4. Tom Comanzo (PEF), 6 Barclay St., Albany, NY (Support Resolution 71.91.08R)
5. Lynne Jackson, 223 S. Swan St., Albany, NY (Proposed Washington Ave. Ext. hotel))
6. Vincent Riguso, 13 Beach Ave., Albany, NY (Washington Ave. Ext. hotel))

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Conti made a motion to approve the minutes of July 21, 2008, which was approved by unanimous voice vote.

CONSIDERATION OF LOCAL LAWS

Council Member Sano introduced the following, which was held:

LOCAL LAW K - 2008

**A LOCAL LAW AMENDING ARTICLE XV (HOMESTEAD AND NONHOMESTEAD
BASE PROPORTIONS) OF CHAPTER 333 (TAXATION) OF THE CODE OF THE CITY OF
ALBANY**

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Article XV of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

ARTICLE XV Homestead and Nonhomestead Base Proportions

§ 333-120. Statutory provisions adopted.

The provisions of § 1903 of the Real Property Tax Law are hereby adopted.

§ 333-121. Establishment; applicability.

The homestead base proportion and the nonhomestead base proportion shall be established by the Common Council upon the City's certification as an approved assessing unit pursuant to § 1902 of the Real Property Tax Law and shall apply to taxes levied on the 1998 final assessment roll and to taxes levied on subsequent rolls.

§ 333-122. Purpose.

The purpose of this article is to allow local adjustment to the homestead and nonhomestead base proportions for the City of Albany and for the City School District of Albany in accordance with § 1903 of the Real Property Tax Law.

§ 333-123. Expiration.

This article shall cease to have force and effect and shall not apply to taxes levied on the ~~[2008]~~ 2013 final assessment roll and to taxes levied on subsequent rolls.

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

Council Member Conti made a motion to hold the Local Laws on the pending agenda, which was approved by unanimous voice vote.

REPORTS OF STANDING COMMITTEES

General Services, Health and Environment – Council Member O'Brien stated that the committee met on August 27, 2008 to discuss sewer backup issues. The committee was shown a presentation on the sewer system in the City of Albany by Dan Hershberg and heard from residents who were affected by the recent flooding. He stated the committee would be meeting on September 10, 2008 to discuss the plastic carryout bag ban ordinance and other trash recycling issues.

REPORTS OF AD HOC COMMITTEES

Ad Hoc Committee on Cable Access – Council Member Rosenzweig stated that the Ad Hoc Committee would be meeting on September 11, 2008 at 6pm to discuss the structure and oversight of cable access programming.

CONSIDERATION OF ORDINANCES

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

CONSIDERATION OF RESOLUTIONS

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

Resolution Number 70.91.08R

RESOLUTION IMPLEMENTING A LOW INTEREST LOAN PROGRAM TO HOMEOWNERS IN THE CITY OF ALBANY FOR THE PURPOSE OF CONDUCTING ENERGY AUDITS AND IMPLEMENTING AUDIT RECOMENDATIONS

WHEREAS, the housing stock in the City of Albany consists on many older homes which may not be energy efficient; and

WHEREAS, it is in the best interest of the City to promote energy efficiency; and

NOW, THEREFORE, BE IT RESOLVED, there is hereby established a low interest loan program in the City of Albany for all sellers of residential housing to conduct energy audits and for potential buyers to perform the recommendations of the energy audit. This program shall be administered by the Division of Building and Codes.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Division will develop appropriate standards and regulations for this program. The Division will work with financial institutions to secure such loans. Sellers of all residential housing shall be encouraged to utilize this program prior to the sale of their home. If an energy audit is conducted under this program, the seller will be required to disclose the audit to potential buyers. Only those sellers using this program will enable the buyers to use the program for implementation of the recommendations in the audit.

Council Members Fahey, Calsolaro, Casey, Conti, Ellis, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Smith and Timmons offered the following, asked for passage and a roll call vote thereon:

Resolution Number 71.91.08R

RESOLUTION CALLING FOR THE NEW YORK STATE LEGISLATURE TO PASS, AND THE GOVERNOR TO SIGN, THE NEW YORK STATE FAIR PAY ACT

WHEREAS, the City of Albany Common Council strongly believes in promoting the equality of all county residents and strives to foster an environment free from discrimination; and

WHEREAS, the Cornell University Institute for Women and Work, the National Committee on Pay Equity and the Institute for Women's Policy Research (IWPR) have compiled alarming statistics demonstrating that working women and people of color are routinely provided less compensation for both equal work and work of comparable worth to their employers; and

WHEREAS, statistics indicate that in 2005, women earned \$0.77 for every \$1.00 earned by men, a figure further exacerbated by additional consideration of race, as this figure shrinks to \$0.71 for African-American women and \$0.58 for Latina women; and

WHEREAS, a National Academy of Sciences study concluded, "the more an occupation is dominated by women, the less it pays," and according to the data analysis of over 300 job classifications provided by the U.S. Department of Labor Statistics, women are paid less in every occupational classification for which sufficient information is available; and

WHEREAS, "New York State ranks in the bottom third of all states at 40th in the nation for the proportion of women who live above the poverty line" according to a 2008 IWPR report and studies conducted by professors Figart and Lapidus (1995) and Stone and Kuperberg (2005) show that the application of equal pay for jobs of comparable worth standards lifts many workers out of poverty; and

WHEREAS, establishing the comparable worth of different jobs is a well developed field and most employers and all major employers have personnel systems in place to determine the comparable worth of different jobs; and

WHEREAS, in the interest of combating gender and race bias in compensation, members of the New York State Legislature have introduced the NYS Fair Pay Act bill (A.2712/ S.3936) which would help eliminate pay disparities based on sex or race; and

WHEREAS, the New York State Fair Pay Act would promote fair wages and raise living standards as well as social security and pension contributions, which, in turn, promote stable families; and

WHEREAS, the NYS Fair Pay Act would implement a state policy of employers compensating employees fairly for work of comparable value eliminating wage inequality between job titles which are predominately done by women and people of color and other job titles of comparable worth to the employer as measured by the skill, effort, responsibility and working conditions required by different jobs; and

WHEREAS, the aforementioned NYS Fair Pay Act bill has been passed by the New York State Assembly since 2002, but remains in committee in the New York State Senate; and it is incumbent upon our State Senators to pass legislation to eliminate unequal pay for jobs of comparable worth with all possible speed.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany calls for the New York State Legislature to pass, and the Governor to sign, the New York State Fair Pay Act.

BE IT FURTHER RESOLVED, that a copy of this Resolution, suitably engrossed, be transmitted by the Clerk of the Council to Governor David Paterson, Senator Dean Skelos, Assembly Speaker Sheldon Silver, Senator Neil Breslin, Assemblyman John McEneny, and Assemblyman Ronald Canestrari.

**Note: There was discussion from Council Member Fahey on how long overdue this legislation is, how important it is to get this on the floor of the NYS Legislature for a vote and the impact that unfair pay has on low income families. Council Member Ellis discussed his support of this legislation.*

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

Affirmative -- Calsolaro, Casey, Conti, Ellis, Fahey, Fox, Herring, Igoe, O'Brien, Rosenzweig, Sano, Smith, and Timmons

Affirmative 13 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 Calsolaro discussed the Tharauldson Development Project (Washington Ave. Ext. hotel) and stated that the city should possibly hire a consultant to complete an independent environmental assessment of the project.

ADJOURNMENT

Council Member Conti asked that Council Members McLaughlin and Scalzo be excused.

A motion was made for adjournment.

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

A true record of the Common Council Minutes of September 4th, 2008.

CASHAWNA PARKER
LEGISLATIVE AIDE TO THE COMMON COUNCIL