

ALBANY COMMON COUNCIL MINUTES OF A SPECIAL MEETING

Monday April 7, 2014

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 Applys, Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson.

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

Council Member Flynn led the Pledge of Allegiance.

PUBLIC COMMENT PERIO

1. Marlon Anderson, 491 Livingston Avenue, Albany, NY (Casino);
2. Carol Bullard, 4 McAffer Drive, Menands, NY (Citizens United & New York for Democracy);
3. John Darmbruster, 61 Orchard Avenue, Albany, NY (Ordinance 53.102.14 in relation to an easement at 73 Orchard Avenue);
4. Paul Hansen, 147 Western Avenue, Apt. 2, Albany, NY (Rooftop Solar panels on municipal buildings);
5. Robert Paeglow, 553 Clinton Avenue, Albany, NY (Oppose Casino);
6. Celeste Knight, 170 North Allen Street, Albany, NY (Community Development Block Grant funding process);
7. Susan Perkins, 30 Carroll Avenue, Albany, NY (Oppose Casino);
8. David R. Polan, 131 Edgecomb Street, Albany, NY (Support Casino);

President Pro Tempore Conti made a motion to extend public for an additional 30 minutes, which was approved by unanimous voice vote.

9. Jeremy Vosburgh, 18 Maplewood Street, Albany, NY (Casino);
10. Helen Klaesen, 817 Livingston Avenue, Albany, NY (Oppose Casino);
11. Vincent Riguso, 13 Beach Avenue, Albany, NY (Casino);
12. Maria Chau, 54 Eileen Street, Albany, NY (Oppose Casino);
13. Marsha Nadell Penrose, 115 Lenox Avenue, Albany, NY (Oppose Casino);
14. Patia Henry, 4 Cherry Hill Street, Albany, NY (Casino).

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

CONSIDERATION OF LOCAL LAWS

The local laws on the pending agenda were held at the request of President Pro Tempore Conti.

REPORTS OF STANDING COMMITTEES

General Services, Health and Environment – Chairperson O'Brien stated that the committee met on April 2, 2014 at 5:30 p.m. to discuss street and sidewalk repair concerns.

Public Safety – Chairperson Golby stated that the committee met on April 3, 2014 with Members of the Citizen Police Review Board for an update on many topics, with mediation being on the forefront. The CPRB has waited a long time for mediation to become a part of the process. She discussed the importance of new board members being aware on the time commitment and the need to attend the police academy in order to become a voting member.

Finance, Taxation and Assessment – Chairperson Commisso stated that the committee met on March 26, 2014 to discuss the draft Public Private Budgetary Cooperation report. He discussed that the administration is moving forward with some of the recommendations. There will be a final report issued.

Housing and Community Development – Chairperson Bailey stated that the committee met on April 1, 2014 to discuss the Community Development Block Grant budget. He discussed HUD requirements with regards to conflict of interested and the decision of certain parties to reque themselves from the process. He discussed finding a different way of utilizing this funding. The committee would be coming together to put the necessary guidelines in place.

CONSIDERATION OF ORDINANCES

President Pro Tempore Conti introduced ORDINANCE NUMBER 29.41.14, which was referred to the Law, Buildings and Code Enforcement Committee:

AN ORDINANCE AMENDING ARTICLE VII (SMOKING NEAR HEALTH CARE FACILITIES) OF CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SMOKING INSIDE BUS SHELTERS

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

Section 1. Article VII of Chapter 323 is hereby amended to read as follows:

ARTICLE VII

SMOKING NEAR HEALTH CARE FACILITIES AND INSIDE BUS SHELTERS

Section 323-96. Legislative Intent.

The City of Albany Common Council finds that scientific studies have proven that cigarette smoking causes chronic lung disease, coronary heart disease, stroke, cancer of the lungs, larynx, esophagus, mouth, and bladder, and contributes to cancer of the cervix, pancreas, and kidneys. The use of cigars is also known to cause lung, larynx, esophageal, and oral cancer. More than 440,000 people die in the United States from tobacco-related diseases every year, making it the nation’s leading cause of preventable illness. Furthermore, the United States Environmental Protection Agency has found secondhand smoke to be a risk to public health, and has classified secondhand smoke as a group A carcinogen. Exposure to secondhand smoke is the third leading cause of preventable death in this country.

The City of Albany Common Council further finds that as health care facilities have prohibited smoking in their facilities and directly adjacent to their building doorways, there has been a large increase in people smoking on the public streets and sidewalks adjacent to these facilities. These streets and sidewalks at times are difficult to pass through because of the number of people congregating and the clouds of smoke that fill the air. It has also become unsightly as cigarette butts are thrown all over the ground causing a litter problem in the area. Bus shelters are also being used by smokers as shelters during inclement weather. As the area above the sidewalk is enclosed by the shelter, the smoke is dangerous to those individuals with breathing difficulties.

Section 323-97. Definitions.

Bus Shelter – Any covered structure at a bus stop providing protection against the weather for people waiting for a bus placed upon a sidewalk in the City of Albany.

Health care facility – For purposes of this article, the term “health care facility” shall be deemed to include a hospital as defined in Section 2801 of the Public Health Law and shall also include such facilities related to the hospital as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

Public place – Shall mean any place open to the general public including, for example, streets, sidewalks, playgrounds, or bus stops. For sidewalks and driveways, this shall include the curb, or if no curb, the edge of the pavement.

Section 323-98. Smoking Prohibited.

A. It shall be unlawful to smoke or possess burning tobacco, including cigarettes, cigars, pipes, tobacco smoking devices, or any other lighted smoking equipment, upon any public place adjoining a health care facility and inside of any bus shelter.

B. Health care facilities and bus transportation providers shall post “No Smoking” or “Smoke Free” signs, or the international “No Smoking” symbol or both in conspicuous places on their properties sufficient to provide public notice of this prohibition.

Section 323-99. Penalties.

The presence or absence of signs shall not be a defense to a violation of this Article. A person found to be in violation of Section 323-98 is subject to a fine up to three hundred dollars (\$300) per violation.

Section 2. This ordinance shall take effect immediately.

Council Member Commisso introduced ORDINANCE NUMBER 8.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$407,000.00 AND AUTHORIZING THE ISSUANCE OF \$407,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (SIDEWALK RECONSTRUCTION)

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: Curbs, sidewalks and gutters.
Local Finance Law Section 11.00(a) Subparagraph 24
Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years
Maximum Estimated Cost: \$407,000.00
Maximum Amount of Bonds: \$407,000.00
Treasurer's Bond Authorization Numbers: D-14
Treasurer's Project Numbers: GH 50108404

Section 2. The plan of financing such objects or purposes is the issuance of \$407,000.00 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 April 7, 2014 and shall take effect upon its approval by the Board of Estimate and Apportionment of the City of Albany.

**Note: Please refer to Ordinance Number 8.41.14 for Sections 3-12 for Ordinance Numbers 9.41.14- 30.41.14(MC)*

Council Member Commisso introduced ORDINANCE NUMBER 9.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$600,000.00 AND AUTHORIZING THE ISSUANCE OF \$600,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CITY BUILDING 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: Additions to or conversion of buildings.
Local Finance Law Section 11.00(a) Subparagraph 12(2)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$600,000.00
Maximum Amount of Bonds: \$600,000.00
Treasurer's Bond Authorization Numbers: E-14
Treasurer's Project Numbers: GH 14408405

Section 2. The plan of financing such objects or purposes is the issuance of \$600,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 10.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000.00 AND AUTHORIZING THE ISSUANCE OF \$500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CITY BUILDING 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: Additions to or conversion of buildings.
Local Finance Law Section 11.00(a) Subparagraph 12(2)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$500,000.00
Maximum Amount of Bonds: \$500,000.00
Treasurer's Bond Authorization Numbers: F-14
Treasurer's Project Numbers: GH 14408406

Section 2. The plan of financing such objects or purposes is the issuance of \$500,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 11.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$700,000.00 AND AUTHORIZING THE ISSUANCE OF \$700,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CITY BUILDING 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: Additions to or conversion of buildings.
Local Finance Law Section 11.00(a) Subparagraph 12(2)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$700,000.00
Maximum Amount of Bonds: \$700,000.00
Treasurer's Bond Authorization Numbers: G-14
Treasurer's Project Numbers: GH 14408407

Section 2. The plan of financing such objects or purposes is the issuance of \$700,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 12.41.14, which was referred to the Finance, Taxation and Assessment Committee:

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

YORK AT A MAXIMUM ESTIMATED COST OF \$250,000.00 AND AUTHORIZING THE ISSUANCE OF \$250,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (EROSION CONTROL)

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: Additions to or conversion of buildings.
Local Finance Law Section 11.00(a) Subparagraph 12(2)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$250,000.00
Maximum Amount of Bonds: \$250,000.00
Treasurer's Bond Authorization Numbers: H-14
Treasurer's Project Numbers: GH 14408408

Section 2. The plan of financing such objects or purposes is the issuance of \$250,000.00 serial bonds hereby authorized to be issued.

Council Member Comisso introduced ORDINANCE NUMBER 13.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$210,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$210,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC ENGINEERING MAINTENANCE VEHICLE)

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: \$210,000.00
Maximum Amount of Bonds: \$210,000.00
Treasurer's Bond Authorization Numbers: I-14
Treasurer's Project Numbers: GH 33108409

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$210,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 14.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$1,220,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$1,220,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNALS-CITY WIDE)

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: \$1,220,000.00
Maximum Amount of Bonds: \$1,220,000.00
Treasurer's Bond Authorization Numbers: J-14
Treasurer's Project Numbers: GH 33108410

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$1,220,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 15.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$550,000.00 AND AUTHORIZING THE ISSUANCE OF \$550,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (MADISON AVENUE)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years

Maximum Estimated Cost: \$550,000.00
Maximum Amount of Bonds: \$550,000.00
Treasurer's Bond Authorization Numbers: K-14
Treasurer's Project Numbers: GH 33108411

Section 2. The plan of financing such objects or purposes is the issuance of \$550,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 16.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$210,000.00 AND AUTHORIZING THE ISSUANCE OF \$210,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PEDESTRIAN 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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 10 years
Maximum Term of Obligations: 10 years
Maximum Estimated Cost: \$210,000.00
Maximum Amount of Bonds: \$210,000.00
Treasurer's Bond Authorization Numbers: L-14
Treasurer's Project Numbers: GH 33108412

Section 2. The plan of financing such objects or purposes is the issuance of \$210,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 17.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$2,629,000.00 AND AUTHORIZING THE ISSUANCE OF \$2,629,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNALS – WASHINGTON AND WESTERN)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 20 years
Maximum Term of Obligations: 20 years
Maximum Estimated Cost: \$2,629,000.00
Maximum Amount of Bonds: \$2,629,000.00
Treasurer's Bond Authorization Numbers: M-14
Treasurer's Project Numbers: GH 33108413

Section 2. The plan of financing such objects or purposes is the issuance of \$2,629,000.00 serial bonds hereby authorized to be issued.

Council Member Comisso introduced ORDINANCE NUMBER 18.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000.00 AND AUTHORIZING THE ISSUANCE OF \$500,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (TRAFFIC SIGNALS – NEW SCOTLAND)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 20 years
Maximum Term of Obligations: 20 years
Maximum Estimated Cost: \$500,000.00
Maximum Amount of Bonds: \$500,000.00
Treasurer's Bond Authorization Numbers: L-14
Treasurer's Project Numbers: GH 33108414

Section 2. The plan of financing such objects or purposes is the issuance of \$500,000.00 serial bonds hereby authorized to be issued.

Council Member Comisso introduced ORDINANCE NUMBER 19.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$250,000.00 AND AUTHORIZING THE ISSUANCE OF \$250,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (BRIDGE 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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 20 years
Maximum Term of Obligations: 20 years
Maximum Estimated Cost: \$250,000.00
Maximum Amount of Bonds: \$250,000.00
Treasurer's Bond Authorization Numbers: O-14
Treasurer's Project Numbers: GH 33108415

Section 2. The plan of financing such objects or purposes is the issuance of \$250,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 20.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$100,000.00 AND AUTHORIZING THE ISSUANCE OF \$100,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (ASBESTOS ABATEMENT)

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: Traffic signals, traffic signal systems, traffic signs and traffic sign support
Local Finance Law Section 11.00(a) Subparagraph 72(b)
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$100,000.00
Maximum Amount of Bonds: \$100,000.00
Treasurer's Bond Authorization Numbers: P-14
Treasurer's Project Numbers: GH 33108416

Section 2. The plan of financing such objects or purposes is the issuance of \$100,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 21.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$135,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$135,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (POLICE SPECIAL USE 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: Passenger vehicle other than a school bus
Local Finance Law Section 11.00(a) Subparagraph 77
Period of Probable Usefulness: 3 years
Maximum Term of Obligations: 3 years
Maximum Estimated Cost: \$135,000.00
Maximum Amount of Bonds: \$135,000.00
Treasurer's Bond Authorization Numbers: Q-14
Treasurer's Project Numbers: GH 31208417

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$135,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 22.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$525,000.00 AND AUTHORIZING THE LEASE FINANCING OR THE ISSUANCE OF \$525,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (POLICE 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: Passenger vehicle other than a school bus
Local Finance Law Section 11.00(a) Subparagraph 77
Period of Probable Usefulness: 3 years
Maximum Term of Obligations: 3 years
Maximum Estimated Cost: \$525,000.00
Maximum Amount of Bonds: \$525,000.00
Treasurer's Bond Authorization Numbers: R-14

Section 2. The plan of financing such objects or purposes is the lease financing of or the issuance of \$525,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 23.41.14, which was referred to the Finance, Taxation and Assessment Committee:

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 (RECREATION FACILITIES LIGHTING 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: \$200,000.00
Maximum Amount of Bonds: \$200,000.00
Treasurer's Bond Authorization Numbers: S-14
Treasurer's Project Numbers: GH 71108419

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

Council Member Commisso introduced ORDINANCE NUMBER 24.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$125,000.00 AND AUTHORIZING THE ISSUANCE OF \$125,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CAPITAL HILLS – PUMP HOUSE REPLACEMENT)

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: Golf Courses.

Local Finance Law Section 11.00(a) Subparagraph 54
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$125,000.00
Maximum Amount of Bonds: \$125,000.00
Treasurer's Bond Authorization Numbers: T-14
Treasurer's Project Numbers: GH 71108420

Section 2. The plan of financing such objects or purposes is the issuance of \$125,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 25.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$296,000.00 AND AUTHORIZING THE ISSUANCE OF \$296,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (PARKS 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 they have been 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.

(A) Object or Purpose: Machinery and apparatus for construction and maintenance.

Local Finance Law Section 11.00(a) Subparagraph 28
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$65,000.00
Maximum Amount of Bonds: \$65,000.00
Treasurer's Bond Authorization Numbers: U-14
Treasurer's Project Numbers: GH 71108421

(B) Object or Purpose: Machinery and apparatus for construction and maintenance.

Local Finance Law Section 11.00(a) Subparagraph 28
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$231,000.00
Maximum Amount of Bonds: \$231,000.00
Treasurer's Bond Authorization Numbers: W-14
Treasurer's Project Numbers: GH 71108423

Section 2. The plan of financing such objects or purposes is the issuance of \$269,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 26.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$890,000.00 AND AUTHORIZING THE ISSUANCE OF \$890,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (REPLACEMENT VEHICLES AND 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 they have been 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.

- (A) 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: \$840,000.00
Maximum Amount of Bonds: \$840,000.00
Treasurer's Bond Authorization Numbers: V-14
Treasurer's Project Numbers: GH 71108422

- (B) Object or Purpose: Equipment, Machinery, apparatus or furnishings.
Local Finance Law Section 11.00(a) Subparagraph 28
Period of Probable Usefulness: 5 years
Maximum Term of Obligations: 5 years
Maximum Estimated Cost: \$50,000.00
Maximum Amount of Bonds: \$50,000.00
Treasurer's Bond Authorization Numbers: Z-14
Treasurer's Project Numbers: GH 71108426

Section 2. The plan of financing such objects or purposes is the issuance of \$890,000.00 serial bonds hereby authorized to be issued.

Council Member Commisso introduced ORDINANCE NUMBER 27.41.14, which was referred to the Finance, Taxation and Assessment Committee:

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 (IRRIGATION SYSTEMS)

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: Golf Courses.
Local Finance Law Section 11.00(a) Subparagraph 54
Period of Probable Usefulness: 15 years
Maximum Term of Obligations: 15 years
Maximum Estimated Cost: \$200,000.00
Maximum Amount of Bonds: \$200,000.00
Treasurer's Bond Authorization Numbers: X-14
Treasurer's Project Numbers: GH 71108424

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

Council Member Commisso introduced ORDINANCE NUMBER 28.41.14, which was referred to the Finance, Taxation and Assessment Committee:

AN ORDINANCE AUTHORIZING CERTAIN PROJECTS BY THE CITY OF ALBANY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$315,000.00 AND AUTHORIZING THE ISSUANCE OF \$315,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (LANDFILL 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: 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: \$315,000.00
Maximum Amount of Bonds: \$315,000.00
Treasurer's Bond Authorization Numbers: Y-14
Treasurer's Project Numbers: GH 81608425

Section 2. The plan of financing such objects or purposes is the issuance of \$315,000.00 serial bonds hereby authorized to be issued.

President Pro Tempore Conti asked and received majority consent to add ORDINANCE NUMBER 30.41.14 to the pending agenda, which was approved by unanimous voice vote

Council Member Commisso introduced ORDINANCE NUMBER 30.41.14 (MC), which was referred to the Finance, Taxation and Assessment Committee:

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

YORK AT A MAXIMUM ESTIMATED COST OF \$665,000.00 AND AUTHORIZING THE ISSUANCE OF \$665,000.00 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF (CORNING PRESERVE)

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: Planning for future capital improvements.

Local Finance Law Section 11.00(a) Subparagraph 62

Period of Probable Usefulness: 5 years

Maximum Term of Obligations: 5 years

Maximum Estimated Cost: \$665,000.00

Maximum Amount of Bonds: \$665,000.00

Treasurer's Bond Authorization Numbers: AA-14

Treasurer's Project Numbers: GH 64208427

Section 2. The plan of financing such objects or purposes is the issuance of \$665,000.00 serial bonds hereby authorized to be issued.

President Pro Tempore Conti made a motion to change the order of business to allow for the consideration of RESOLUTION NUMBER 32.41.14R, which was approved by unanimous voice vote.

Council Member Kimbrough introduced RESOLUTION NUMBER 32.41.14R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL ISSUING A NEGATIVE DECLARATION IN ACCORDANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW (SEQRA), AND ITS IMPLEMENTING REGULATIONS REGARDING THE PROPOSED REZONING OF THE PROPERTIES LOCATED AT 93 (AKA 95) AND REAR 93 LIVINGSTON AVENUE

WHEREAS, Ordinance 2.23.14 was introduced by the City of Albany Common Council on February 20, 2014, which proposed rezoning the properties located at 93 (aka 95) and Rear 93 Livingston Avenue from Commercial Office District (C-O) to One- and Two-Family Row House Residential District (R-2C); and

WHEREAS, the Common Council declared itself Lead Agency for coordinated review at a public meeting held on February 20, 2014 in connection with the proposed rezoning; and

WHEREAS, the Common Council received a Full Environmental Assessment Form (FEAF), in conjunction with said proposed rezoning; and

WHEREAS, the proposed rezoning was the subject of a Public Hearing held by the Common Council on March 17, 2014, where public comment was received; and

WHEREAS, the action is subject to the provisions of the State Environmental Quality Review Act ("SEQRA"), as set forth in Environmental Conservation Law Article 8, and its implementing regulations; and

WHEREAS, the rezoning is determined to be a Type I action pursuant to SEQRA; and

WHEREAS, the record demonstrates that the rezoning will not have a significant adverse environmental impact, and that a Negative Declaration of Environmental Significance should be issued.

NOW, THEREFORE, BE IT RESOLVED, that based upon the review and consideration of the Full Environmental Assessment Form and public comments, the Common Council finds and declares the action to be a Type I pursuant to the New York State Environmental Conservation Law, and its implementing regulations, and having duly considered the entire record before it, declares that the rezoning of the properties located at 93 (aka 95) and Rear 93 Livingston Avenue from Commercial Office District (C-O) to One- and Two-Family Row House Residential District (R-2C), has no potentially significant adverse impacts upon the environment, as that term is defined in SEQRA, will not require the preparation of a full Environmental Impact Statement and therefore issues a Negative Determination of Environmental Significance.

RESOLVED, that this resolution shall take effect immediately.

The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applrys, Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien, and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Bailey asked for passage of ORDINANCE NUMBER 7.32.14 (AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF PERMANENT EASEMENTS TO THE OWNERS OF 132, 134, 136, 138, 140 AND 144 STATE STREET OVER, UPON AND UNDER PORTIONS OF THE CITY RIGHT-OF-WAYS OF STATE AND EAGLE STREETS IN THE CITY OF ALBANY), which had been previously introduced.

The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applrys, Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Kimbrough asked for passage of ORDINANCE NUMBER 2.23.14 (AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 93 (AKA 95) AND REAR 93 LIVINGSTON AVENUE FROM COMMERCIAL OFFICE DISTRICT (C-O) TO ONE- AND TWO-FAMILY ROW HOUSE RESIDENTIAL DISTRICT (R-2C) AND AMENDING THE ZONING MAP ACCORDINGLY), which was previously introduced.

The ordinance passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applrys, Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

Affirmative 15 Negative 0 Abstain 0

The remaining ordinances on the agenda were held at the request of President Pro Tempore Conti.

CONSIDERATION OF RESOLUTIONS

Council Member Robinson introduced RESOLUTION NUMBER 28.41.14R, which was referred to the Council Operations and Ethics Committee:

RESOLUTION OF THE COMMON COUNCIL AMENDING THE RULES OF PROCEDURE IN RELATION TO APPOINTMENTS OF THE COMMON COUNCIL

NOW, THEREFORE, BE IT RESOLVED, that Section 4.10 of Article 4 (Introduction of Legislation) of the Rules of Procedure of the Common Council is amended to read as follows:

SECTION 4.10. Common Council Appointments.

- (1) In making appointments, the Council shall consider interest, expertise, diversity, and geographic balance.
- (2) The Council will notice all vacancies that exist and post vacancies on the Council website.
- (3) An individual should not be appointed to more than one position unless the city code or state law requires their appointment or the appointment is confirmed with a 2/3 vote of the Council.
- (4) Former members of the Common Council shall not be appointed for a period of one year after the completion of their term of office. The Council may waive this provision if no other qualified individuals have applied to fill the vacancy.
- (5) ~~[No legislation]~~ (a) Legislation relating to the ~~[approval]~~ advice and consent of the appointment of an individual to any commission, board, authority or other public body shall be ~~[moved for passage unless and until that individual has appeared before the Council at such time and place as the Council shall designate, provided, however, that such appearance may be waived by consent of a majority of the Council member present]~~ referred to the appropriate standing committee of the Council, which has jurisdiction over such commission, board, authority or other public body, for review and recommendation to the full Council. In considering an individual, the committee shall interview the nominee and receive public comment at an appropriately noticed meeting of the committee. The committee shall complete action in a timely manner so that the full Council may provide advice and consent within the time frames set forth in section 301(e) of Article 3 of the Charter of the City of Albany.
 - (b) The appointment of an individual to any commission, board, authority or other public body by the Council shall be subject to the review and recommendation of the appropriate standing committee of the Council which has jurisdiction over such commission, board, authority or other public body. Prior to making a recommendation, the Committee shall interview prospective appointees.
 - (c) Any member of the Council may participate in the proceedings set forth in paragraphs (a) and (b) of this section, but shall not have a vote on any final recommendation unless a member of the appropriate standing committee.

Council Member Applys introduced RESOLUTION NUMBER 29.41.14R, which was held:

RESOLUTION OF THE COMMON COUNCIL IN SUPPORT OF LOCATING A CASINO IN THE CITY OF ALBANY, NEW YORK

WHEREAS, on November 5, 2013, in a referendum as part of the 2013 General Election, a majority of State voters approved the development of seven commercial casinos in the State of New York; and

WHEREAS, siting for the commercial casinos approved by State voters is now underway across New York State; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby declare support for the sighting of a commercial casino in the City of Albany.

BE IT FURTHER RESOLVED, the City Clerk is hereby directed to transmit certified copies of this resolution to Governor Andrew M. Cuomo, State Senator Neil D. Breslin and Assembly Members Patricia A. Fahy and John T. McDonald.

President Pro Tempore Conti introduced RESOLUTION NUMBER 30.41.14R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL ENACTING A HOME RULE MESSAGE TO THE NEW YORK STATE LEGISLATURE REQUESTING THE ENACTMENT OF SENATE BILL NO. 6683 / ASSEMBLY BILL NO. 8877 ENTITLED: “AN ACT TO AMEND CHAPTER 454 OF THE LAWS OF 2010, AMENDING THE VEHICLE AND TRAFFIC LAW RELATING TO AUTHORIZING A PILOT RESIDENTIAL PARKING PERMIT SYSTEM IN THE CITY OF ALBANY, IN RELATION TO THE EFFECTIVENESS THEREOF”

RESOLVED, that a Home Rule Message is hereby enacted and directed to the New York State Legislature requesting the enactment of Senate Bill No. 6683 and Assembly Bill No. 8877 entitled:

“AN ACT to amend Chapter 454 of the Laws of 2010, amending the Vehicle and Traffic Law relating to authorizing a pilot residential parking permit system in the City of Albany, in relation to the effectiveness thereof”

The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applrys, Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, O’Brien and Robinson

Negative – Krasher

Affirmative 14 Negative 1 Abstain 0

Resolution Number 30.41.14R was co-sponsored by Council Members Doesschate and Herring.

Majority Leader Herring introduced RESOLUTION NUMBER 31.41.14R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE CREATION OF A BUDGET ANALYST IN THE OFFICE OF THE MAYOR

WHEREAS, Section 604(D)(b) of the Charter of the City of Albany dictates that any 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 Office of the Mayor require the skills and abilities of a Budget Analyst rather.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the creation of a position of Budget Analyst within the Office of the Mayor.

**Note: Council Members Commisso, Krasher, Conti, Robinson and Herring spoke on this resolution prior to passage.*

The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applys, Bailey, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay and O’Brien

Negative – Commisso, Krasher and Robinson

Affirmative 12 Negative 3 Abstain 0

Resolution Number 31.41.14R was co-sponsored by Council Members Fahey and Golby.

President Pro Tempore Conti asked and received majority consent to add RESOLUTION NUMBER 33.41.14R to the pending agenda, which was approved by unanimous voice vote.

Council Member Bailey introduced RESOLUTION NUMBER 33.41.14R (MC), asked for passage and a roll call vote thereon:

RESOLUTION DESIGNATING THE MAYOR TO ACT AS OFFICIAL REPRESENTATIVE OF THE CITY OF ALBANY TO SUBMIT ANNUALLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE “ANNUAL ACTION PLAN”, AND AMENDMENTS THERETO, UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Congress of the United States established the Community Development Block Grant Program; and

WHEREAS, the Albany Community Development Agency has prepared the Annual Action Plan for the Community Development Block Grant Program Year 40 in accord with a public hearing held on April 1, 2014; and

WHEREAS, pursuant to Sec. 570.303 of the Code of Federal Regulations, a grantee of a Community Development Block Grant must certify that its governing body has duly adopted a resolution authorizing a person to act as its official representative to submit the Action Plan, amendments thereto, and all understandings and assurances thereto, and directing authorizing the persons identified as the official representative of the grantee to act in connection with the submission of the Action Plan and to provide such additional information as may be required.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorized the Mayor to act as the City of Albany’s official representative for the purpose of submitting the said Action Plan and all necessary understandings, assurances and amendments thereto.

BE IT FURTHER RESOLVED, that the Common Council hereby adopts the Action Plan for the Community Development Block Grant Program Year 40 as prepared by the Albany Community Development Agency, together with and including all understandings and assurances required thereby.

**Note: Council Members Robinson and Bailey spoke on this resolution prior to passage.*

The resolution passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applyrs, Bailey, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay and O’Brien

Negative – Commisso and Krasher

Abstain – Robinson

Affirmative 12 Negative 2 Abstain 1

The remaining resolutions on the pending agenda were held at the request of President Pro Tempore Conti.

MISCELLANEOUS AND UNFINISHED BUSINESS

Majority Leader Herring made a motion for the creation of a Committee of the Whole, the motion was seconded, asked if there was discussion and asked for a roll call vote thereon:

Council Member Krasher spoke on the motion.

The motion passed by the following voice vote of all the Council Members elected voting in favor thereof:
Affirmative – Applyrs, Bailey, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, O’Brien, and Robinson

Negative – Commisso and Krasher

Affirmative 13 Negative 2 Abstain 0

President Pro Tempore Conti referred RESOLUTION NUMBER 29.41.14R to the Committee of the Whole.

Council Member Fahey informed Council Members on Wednesday, April 9, 2014 at 10 am there the New York State Gaming Commission will be holding a public hearing in meeting room seven (7) at the Empire State Plaza.

Majority Leader Dan Herring offered the following, which was adopted 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, 2014, AND WAIVE THE READING OF THE NAMES:

1. Sarah Hunt, 263 S. Swan Street Albany, NY 12202

President McLaughlin discussed the as a board member of the CDBG, she was told that there is supposed to be a seven (7) member resident rating board who makes the decisions on which organizations receive CDBG funding., which is a requirement from HUD.

Council Member Kornegay discussed that the information on criteria was told to her by the Commissioner of Community Development and staff.

Council Member Robinson also discussed the unfairness of the CDBG process.

Council Member Applrys discussed that she was told that there is no scoring criteria for determining who receives funding. She discussed that the process is not competitive and the lack of transparency. She discussed funding should be allocated to unfunded organizations.

President McLaughlin discussed not being happy that HUD guidelines have not been followed.

Council Member Bailey discussed changing the process of how CDBG funds are spent.

ADJOURNMENT

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

A true record of the Common Council Minutes of March 17th 2014.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL