

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

**Monday, November 17, 2014**

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

The roll being called, the following answered to their names: Council Members Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson.

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

Council Member Fahey led with the Pledge of Allegiance.

**PUBLIC HEARING**

Clerk to the Common Council Nala Woodard read the notice of the public hearing on Ordinance Number 49.102.14 (AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 10, 32 AND 40 NORTH RUSSELL ROAD AND REAR 18 RUSSELL ROAD FROM GENERAL INDUSTRIAL DISTRICT (M-1) TO HIGHWAY COMMERCIAL DISTRICT (C-2) AND AMENDING THE ZONING MAP ACCORDINGLY), and the following person spoke.

1. Debbie Posateer and Tony Ozdomo, Developers

There being no further speakers, the President declared the public hearing closed.

**PUBLIC COMMENT**

1. Rabbi Daniel Ornstein, (Resolution 100.102.14R);
2. Jonathan Capra, 847 New Scotland Avenue, Albany, NY (Yellow light legislation);
3. Marlon Anderson, 491 Livingston Avenue, Albany, NY (Investment in communities/Global Foundries project in relation to relocating residents of Ezra Prentice Apartments);
4. Vincent Riguso, 13 Beach Avenue, Albany, NY (Reassessment);
5. Caroline Burr-McCann, 156 Colonie Street, Albany, NY (Albany Falcons Marching Band);
6. Fred Pfeiffer, 124 North Pine Avenue (Crossing Guards);

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

7. Kaseem Moultrie, 620 Third Street, albany, NY (Crossing guards);
8. Bob Boyd, 19 Dresden Court, Delmar, NY (Public Safety Officers/Traffic Safety Assistants);

There being no further speakers, the President declared public comment closed.

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

**President Pro Tempore Conti made a motion to approve the minutes from the October 6, 2014 meeting, which was approved by unanimous voice vote.**

**CONSIDERATION OF LOCAL LAWS**

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

**REPORTS OF STANDING COMMITTEES**

**Finance, Taxation and Assessment** – Chairperson Commisso stated that the committee met on November 15, 2014 to discuss the Albany Police Department’s 2015 proposed budget, which was the final departmental budget presentation. He stated that he is hoping to have an adjudicated budget by November 24, 2014.

**CONSIDERATION OF ORDINANCES**

**Council Member Igoe asked for passage of ORDINANCE NUMBER 47.101.14 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CLOSING OF PORTIONS OF DODGE STREET, DOVER STREET AND WALTMAN AVENUE IN THE CITY OF ALBANY, NEW YORK), which had been previously introduced.**

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

**The ordinance passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson  
**Affirmative 14 Negative 0 Abstain 0**

**Council Member Igoe asked for passage of ORDINANCE NUMBER 48.101.14 (AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF ALBANY IN AND TO THE PORTIONS OF DODGE STREET, DOVER STREET AND WALTMAN AVENUE IN THE CITY OF ALBANY, NEW YORK TO CONGREGATION OHAV SHALOM), which had been previously introduced.**

**The ordinance passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson  
**Affirmative 14 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 Commisso introduced RESOLUTION NUMBER 104.112.14R, asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL APPROVING THE TRANSFER OF \$2,712,419 TO VARIOUS ACCOUNTS IN ACCORDANCE WITH CITY CHARTER SECTION 603**

WHEREAS, Albany City Charter Section 603 requires Common Council approval for budgetary transfers in excess of four percent of the budget; and

WHEREAS, the Treasurer has calculated year-to-date transfers to ensure that they do not exceed allowable transfers; and

WHEREAS, four percent of the 2013 budget totals \$6,971,798 and the final reconciliation of the 2013 budget requires \$2,712,419 in excess of transfers permitted pursuant to the Albany City Charter; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves the transfer of the following funds from various accounts being more particularly described in Attachment "A", which is attached hereto and made a part hereof this resolution.

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**

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

**Affirmative 14 Negative 0 Abstain 0**

**President Pro Tempore Conti asked and received majority consent to add Resolution Numbers 105.112.14R and 106.112.14R to the pending agenda, which was approved by unanimous voice vote.**

**Council Member Krasher introduced RESOLUTION NUMBER 105.112.14R (MC), asked for passage, a roll call vote and a moment of silence.**

**RESOLUTION OF THE COMMON COUNCIL RECOGNIZING NOVEMBER 20, 2014 AS NATIONAL TRANSGENDER DAY OF REMEMBRANCE**

WHEREAS, November 20th, 2014 is National Transgender Day of Remembrance. This solemn occasion is time to remember and memorialize transgender individuals who have lost their lives due to violent crimes of prejudice and hatred; and

WHEREAS, by remembering those lost, we raise the consciousness of our community, state, and nation that such brutality continues and we must do our part to advocate for equality for all; and

WHEREAS, the City of Albany is proud to be a place that welcomes all individuals and embraces the value that the more diverse we are as a community, the stronger we are; and

WHEREAS, the City of Albany recognizes that transgender individuals are our neighbors, friends, and family and we recognize that the transgender community provides innumerable contributions to society; and

WHEREAS, the City of Albany stands in solidarity with the transgender community in demanding nothing less than full fair and equal treatment of transgender individuals under the law. And acts of violence

and discrimination fueled by hate must end and be replaced with respect, compassion, and dignity for all; and

WHEREAS, our fundamental ideal that every person has unalienable rights to life, liberty, and the pursuit of happiness is a boundless ideal, applicable to every person; and

WHEREAS, the City of Albany is a leader in recognizing complete equality for all and honors the sacrifices made by people across the world in pursuit of that necessary goal; and

WHEREAS, all forms of discrimination and violence towards all persons are deserving of the highest condemnation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council pauses in its deliberations to remember the transgender individuals whose lives were taken because of hatred.

BE IT FURTHER RESOLVED, that we maintain the sincere hope that this day will soon become unnecessary so long as we continue to stand together to ensure justice and equality for all.

*\*Note: Council Member Krasher spoke on this resolution prior to passage.*

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

**Affirmative 14 Negative 0 Abstain 0**

*Resolution Number 105.112.14R (MC) was co-sponsored by Council Members Conti, Applrys, Bailey, Commisso, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, O’Brien and Robinson.*

*Alyssa Hackett made comments on this resolution after the roll call vote.*

**Council Member Bailey introduced RESOLUION NUMBER 106.112.14R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL CONGRATULATING THE MOUNT OLIVE SOUTHERN MISSIONARY BAPTIST CHURCH ON THEIR 75<sup>TH</sup> ANNIVERSARY**

WHEREAS, Mount Olive Southern Missionary Baptist Church (MOSMBC) was founded in Newton Hook, New York in 1939 by Reverend Walter Love. In 1942, the church moved to Third Street in Albany, New York. Mount Olive was incorporated in June 1943 under the affiliates of the church which were Reverend Washington of Kingston, New York, Reverend J. B. Holmes of Albany, New York and Reverend Sturges of Newburgh, New York. The founding members of the church were Reverend Walter Love, Rose Willingham, Brookert Willingham, Richard Scott, Hanna Love, William Mack, Nellie Mack, William Thompson, Mary Thompson, Delos Willingham, Virginia Willingham, Pauline Willingham, Benjamin Willingham, Ruby Willingham and Adam "Doc" Willingham, and

WHEREAS, under the leadership of Reverend Walter Love, the following primary units were established: Deacon Board, Trustee Board, Deaconess Board, Mothers' Board, Sunday School and the Church Clerk. Deacon Brookert Willingham was the first Chairman of the Deacon Board with Deacon

Chester Walker as Vice President. The first Mother of the church was Hanna Love, the first Church Clerk was Nellie Mack. Our church homes were located at 103 Orange Street and 226 North Pearl Street, and

WHEREAS, the MOSMBC was one of the first in the Capital District to broadcast on local television. They provided weekly worship service with sermons by Reverend Odell W. Surgick and songs by our great choirs, and

WHEREAS, under Reverend Willie J. Stovall, Sr's. leadership, the Church moved to 236 North Pearl Street. The entire congregation exercised their faith in God through their stewardship and service. The church flourished both spiritually and financially. Many souls were added to their ranks. An 8:00 am Sunday Worship Service was included to our church calendar and "The Journey through the Bible" study program was instituted. The church officials and the church family arranged the laying of the Cornerstone in our new Edifice on October 22, 2000, and

WHEREAS, the Mount Olive Southern Missionary Baptist Church is an important member of the City of Albany community. The Church through its members work with local schools as participants with mentoring programs, reading programs, discipline programs, and financial support for special school projects, partner with the Whitney Young Health Center for flu shot clinics and special health presentations, provide a weekly meetings spot for Narcotics Anonymous meetings, provide weekly or monthly visits to hospitals, nursing facilities or homes of members for prayer and to serve Holy Communion, organize clothing, food, and holiday donations.

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council congratulates the Mount Olive Southern Missionary Baptist Church on the occasion of its 75<sup>th</sup> anniversary of service to the people of the City of Albany and acknowledges the contributions it makes to the citizens of Albany.

*\*Note: Council Member Bailey spoke on this resolution prior to passage.*

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

**Affirmative 14 Negative 0 Abstain 0**

*Resolution Number 106.112.14R (MC) was co-sponsored by Council Members Conti, Applyrs, Bailey, Commisso, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, O’Brien and Robinson.*

**Council Member Igoe asked for passage of RESOLUTION NUMBER 100.102.14R (RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A PAYMENT IN-LIEU-OF TAX (PILOT) AGREEMENT WITH 115 KRUMKILL ROAD HOUSING DEVELOPMENT FUND CORPORATION AND 115 KRUMKILL HOUSING L.P.), which had been previously introduced.**

*\*Note: Council Member Igoe spoke on this resolution prior to passage.*

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**

Affirmative – Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

**Affirmative 14 Negative 0 Abstain 0**

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

**MISCELLANEOUS AND UNFINISHED BUSINESS**

**ADJOURNMENT**

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

A true record of the Common Council Minutes of November 17<sup>th</sup>, 2014.

CASHAWNA PARKER  
SENIOR LEGISLATIVE AIDE TO THE  
COMMON COUNCIL