

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

**Monday, August 17, 2015**

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

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

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

Council Member Krasher led the Pledge of Allegiance.

**PUBLIC COMMENT PERIOD**

1. Marlon Anderson, Albany, NY (Racial Divide);
2. Vincent Riguso, 13 Beach Avenue, Albany, NY (Various issues).

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

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Council Member made a motion to approve the minutes of May 18, 2015, June 1, 2015 and June 15, 2015, which was approved by unanimous voice vote.

**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:**

NONE

**CONSIDERATION OF ORDINANCES**

**President Pro Tempore asked and received majority consent to add Ordinance Number 43.82.15 to the pending agenda which was approved by unanimous voice vote.**

**Council Member O'Brien introduced ORDINANCE NUMBER 43.82.15 (MC), which was held**

**AN ORDINANCE AUTHORIZING THE BOARD OF CONTRACT AND SUPPLY TO  
TAKE IMMEDIATE ACTION PURSUANT TO SECTION 42-163 OF THE CODE OF THE  
CITY OF ALBANY REGARDING EMERGENCY REPAIRS TO CITY HALL**

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

Section 1. It is the determination of the Common Council that a public emergency exists at City Hall regarding the levels of asbestos in the boiler room and that expeditious repairs are necessary to protect this public building and property, and the life, health and safety of persons working or visiting City Hall.

Section 2. Due to the emergency situation that exists, the Common Council hereby authorizes that the Board of Contract and Supply take immediate action without undertaking the formal public bidding process pursuant to Section 42-163 of the Code of the City of Albany, and that the Department of General Service shall procure such work and/or purchase such materials as is necessary to rectify the emergency.

Section 3. This procurement pursuant to Section 42-163 shall be subject to the unanimous approval of the Board of Estimate and Apportionment.

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

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

### **CONSIDERATION OF RESOLUTIONS**

**Council Member Golby introduced RESOLUTION NUMBER 59.82.15R, which was approved by unanimous voice vote:**

#### **RESOLUTION OF THE COMMON COUNCIL APPOINTING KERRY MULLIGAN AS A MEMBER OF THE CITIZENS' POLICE REVIEW BOARD**

**NOW, THEREFORE, BE IT RESOLVED**, that Kerry Mulligan be and hereby is appointed as a member of the Citizens' Police Review Board for an unexpired term ending October 26, 2015.

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

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

Affirmative – Applyrs, Bailey, Commisso, Conti, Doeschate, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher and O'Brien

**Affirmative 12 Negative 0 Abstain 0**

**President Pro Tempore Conti asked and received majority consent to add Resolution Numbers 60.82.15R through 63.82.15R, which was approved by unanimous voice vote.**

**Council Member Conti introduced RESOLUTION NUMBER 60.82.15R, which was approved by unanimous voice vote:**

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR THE POSITION OF SENIOR LEGISLATIVE AIDE FOR THE 2015 BUDGET**

**WHEREAS**, Section 604(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary total that occurs 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 Common Council require an adjustment in salary for the position of Senior Legislative Aide.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany consents to the transfer of funds affecting the salary total for the position of Senior Legislative Aide for the 2015 Budget.

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

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

**Affirmative 12 Negative 0 Abstain 0**

**Council Member Herring introduced RESOLUTION NUMBER 61.81.15R (MC), which was referred to the Planning, Economic Development and Land Use Committee:**

**RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE APPOINTMENT OF MARTIN D. HULL 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 Martin D. Hull as a member of the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that Martin D. Hull be confirmed as a member of the Planning Board to fill an unexpired five (5) year term, ending December 31<sup>st</sup>, 2019.

**Council Member Bailey introduced RESOLUTION NUMBER 62.82.15R (MC), which was approved by unanimous voice vote:**

**RESOLUTION OF THE COMMON COUNCIL HONORING BARRY SPARKS, JR. FOR HIS YEARS OF SERVICE AND SUPPORT TO THE COMMUNITY AS A COMMUNITY LEADER AND ENTREPRENEUR**

**WHEREAS**, at the age of 19, in 1950, a young Barry Sparks, Jr. was newly married to his wife Edna and determined to make a good living for the couple and their future children. He got a job as a presser at Mr. Cannon’s shop in the basement of a building on Swan & 3rd Streets. He tried other odd jobs that didn’t pay much so decided to give pressing a try. Mr. Cannon quickly noticed that this young man was not only a productive worker but had a sharp mind for business. When he decided to retire, he offered

to sell the business to Barry for \$1,200. Being new to the idea of ownership, Barry negotiated a 50% partnership for the first year then bought 100% of the cleaners in 1952; and

**WHEREAS**, Barry enjoyed being an entrepreneur but also learned early on the pitfalls of business ownership. Through 2 location changes and a huge fire that took place 3 days after most of his business insurance expired, he has always been able to overcome the impossible due to smart decisions and led by the grace of God. Not long after the location at 42 N. Swan hopelessly burned, Barry's father died and he felt like giving up. While sitting outside the building contemplating what to do, a Nun from St. Joseph's School stopped to encourage him. She knew him to be a good businessman and made him promise not to give up. He took her advice and the only \$10,000 that was left of his business insurance and started over; and

**WHEREAS**, he purchased the building at 53 Second St (corner of Second/Swan) for \$500 down and Rite Cleaners thrived on that corner for over 45 years. It became part of the neighborhood's fabric, along with the other businesses on Swan Street that served the people of the community and everyone supported each other like family. As owner of the building, the astute businessman realized he could maximize the investment by splitting and renting out apartments upstairs, and creating other businesses right there. A shoe shine stand and an ice cream shop/fast food window on the Second St. side were open successfully for several years; and

**WHEREAS**, Barry was one of the first drycleaners in Albany to create a "plant on premises" by investing in equipment that could do the work on site. Always a student of his industry, he took workshops and read trade materials every day to stay on top of the trends and realized this was the future. This innovation required a great amount of maintenance and upkeep. Barry tackled learning how to fix a 30 horsepower boiler by taking it apart completely and putting it back together. He never graduated high school but succeeded in business because there was nothing he wasn't willing to learn in order to keep the business going. With the instinct of a mechanical engineer, he learned to handle everything from machine maintenance to plumbing and more. A strong, tight knit family was always there to help out and the business ran smoothly with his wife, Edna doing most of the tailoring and front of store management, and all of their 8 children working the business in some way while growing up; and

**WHEREAS**, always looking to educate himself and grow his mind, Barry also had a vision for growing the business as much as possible. Every few years new locations were added all over the city. During the 80's the Sparks Family enterprise ran a total of 8 stores at one time. Some of the other locations were: Schuyler Street; Northern Blvd (between 1st and 2nd streets); Lower Central Avenue; Madison Ave. at Lark St.; Metropolitan Cleaners (Lark & Spring Sts); A-1 Cleaners (Quail & Clinton Sts); Menands Cleaners (Broadway in Menands); Twin Towers Cleaners (Washington Ave); Ten Eyck Cleaners (Pearl St. downtown); Lexington Avenue Cleaners; Delaware Avenue Cleaners; Barry's Cleaners (James Street); and Wolf Road Cleaners; and

**WHEREAS**, besides running the family business, Barry always realized the importance of being active in the community and giving back. By chairing and participating in several organizations over the years he successfully made a mark in improving the quality of life in the City of Albany. Some of the affiliations and memberships held over the years: Founder, Youth Arts/Empowerment group; The Black New Breeds (30+ youth performing shows all over the state); Board Member, Whitney M. Young Medical Center (Participated in securing approval to open the WMY Health Center in Arbor Hill which is still in operation today); Board Member, National Cleaners Association; President, Hudson River Missionary Baptist Association (Laymen's Assoc); Chair, Albany County Regional Chamber of Commerce/Minority Business Council; Chair, Capital District Business & Professional Association; Member, State Association

of Businesses/Mentor Program; Member, Urban League; Member, NAACP; and Member, Masons and Shriners; and

**WHEREAS**, currently, Barry is retired from dry cleaning and since 2001 enjoys serving as Chairman of the Deacon Board at Bethany Baptist Church, just a few steps away from the corner of Second & Swan Sts. He is still doing his part to serve the community, his family and God.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany honors Barry Sparks, Jr. for his lifetime of success both personally and professionally, his inspiration to the community, and his service to the City of Albany and wishes him continued vitality, health and happiness.

*Resolution Number 62.82.15R was co-sponsored by Council Members Applyrs, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson.*

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

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

**Affirmative 12 Negative 0 Abstain 0**

**Council Member Commisso moved to amend RESOLUTION NUMBER 13.31.15R and as amended, requested it remained held (add Robinson as co-sponsor)**

**A RESOLUTION OF THE COMMON COUNCIL IMPOSING AN AWARD IN ACCORDANCE WITH NYS CIVIL SERVICE LAW SECTION 209 WITH REGARD TO CITY OF ALBANY & COUNCIL 82 (POLICE DISPATCHERS) – PERB CASES M2011-208**

**WHEREAS**, NYS Civil Service Law Section 209 (3)(e) provides, “should either the public employer or the employee organization not accept in whole or in part the recommendations of the fact-finding board, (i) the chief executive officer of the government involved shall, within ten days after receipt of the findings of fact and recommendations of the fact-finding board, submit to the legislative body of the government involved a copy of the findings of fact and recommendations of the fact-finding board, together with his recommendations for settling the dispute; (ii) the employee organization may submit to such legislative body its recommendations for settling the dispute; (iii) the legislative body or a duly authorized committee thereof shall forthwith conduct a public hearing at which the parties shall be required to explain their positions with respect to the report of the fact-finding board; and (iv) thereafter, the legislative body shall take such action as it deems to be in the public interest, including the interest of the public employees involved.”

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Albany hereby imposes, in accordance with Civil Service Law Section 209, an award for the year 2010 in accordance with the report of the Fact Finder issued August 20, 2013 New York State Civil Service Law for Council 82 (Police Dispatchers) to increase the Salary Schedule as follows:

1/2/2010	1.0%
7/1/2010	1.0%
1/1/2011	1.0%
7/1/2011	1.0%
1/1/2012	1.0%
7/1/2012	1.0%
1/1/2013	1.0%
7/1/2013	1.5%

The salary increases generated by the above changes to the Salary Schedule and any costs associated therewith such as overtime rates, holiday compensation, etc. generated by the foregoing changes to the 2010, 2011, 2012 and 2013 Salary Schedules shall be payable on and after August 21, 2013 and not before.

**Council Member Herring asked for passage of RESOLUTION NUMBER 46.72.15R (RESOLUTION OF THE COMMON COUNCIL APPOINTING JENNIFER VIGGIANI AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE), which had been previously introduced.**

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

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

**Affirmative 12 Negative 0 Abstain 0**

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

**MISCELLANEOUS AND UNFINISHED BUSINESS:**

Majority Leader 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, 2016, AND WAIVE THE READING OF THE NAMES:

**President McLaughlin spoke on the passing senator Julian that made important contributions to civil rights movement in this country**

**ADJOURNMENT**

A motion was made for adjournment.

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

A true record of the Common Council Minutes of August 17<sup>th</sup>, 2015.

**CASHAWNA PARKER**  
**Legislative Aide to the Council**