

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

Monday, February 19, 2015

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

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

Council Member Herring led the Pledge of Allegiance.

PUBLIC HEARING

Clerk to the Common Council Nala Woodard read the notice of the public hearing on Ordinance Number 8.21.145 (AN ORDINANCE AMENDING CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW ARTICLE XX REGARDING SMALL SCALE ZONING OVERLAYS) and the following persons spoke:

1. Chris Spencer, Director of Planning, Albany, NY

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

PUBLIC COMMENT PERIOD

1. Carol Tansey, 115 Krumkill Road, Albany, NY (Oil Trains);
2. Sandy Steubing, 680 Central Avenue, Albany, NY (Oil trains/Summary Abatement resolution);
3. Chris Amato, Attorney w/Earth Justice (Oil trains/Summary Abatement resolution);
4. Greg Bell, 536 Providnece Street, Albany, NY (Oil Trains/ Summary Abatement);
5. Marlon Anderson, 491 Livingston Avenue, Albany, NY (Congress authority over oil trains/Potential violence in the community);
6. Frank Sullivan, 120 Claremont Street, Albany, NY (Global warming from the use of fossil fuels);
7. Mark Schaeffer, 213 Jefferson Street, Albany, NY (Oil Trains/Fossil Fuels);

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

8. David Gardner, 56 Park Avenue, Albany, NY (Oil Trains);
9. Tom Ellis, 43 North Pine Avenue, Albany, NY (Oil Trains);
10. Sister Honora Kinney, 93 Park Avenue, Albany, NY (Citizens' Police Review Board);
11. Andrew Tarwerdi, 411 Manning Boulevard, Albany, NY (Oil Trains).

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

APPROVAL OF MINUTES FROM PREVIOUS MEETING

NONE

CONSIDERATION OF LOCAL LAWS:

Council Member Applyrs asked for passage of LOCAL LAW B-2015, (As Amended) (A LOCAL LAW AMENDING CHAPTER 34 (RECORDING OF MEETINGS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO A HEALTHY MEETINGS POLICY), which had been previously amended.

**Note: Council Members Applyrs, Krasher and O'Brien spoke on th local law prior to passage.*

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

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

Affirmative 15 Negative 0 Abstain 0

Local Law B-2015 was co-sponsored by Council Members Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson.

Council Member O'Brien moved to amend LOCAL LAW D-2015 and as amended requested it remain held.

A LOCAL LAW AMENDING THE CODE OF THE CITY OF ALBANY REGARDING FLOOD DAMAGE PREVENTION

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

Section 1. Article XVIII of Chapter 375 of the Code of the City of Albany is hereby repealed in its entirety and a new Article XVIII of Chapter 375 of the Code of the City of Albany is hereby added to read as follows:

**Article XVIII
Flood Damage Prevention**

§ 375-143 FINDINGS.

The Common Council of the City of Albany, Albany County finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the City of Albany, Albany County and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this local law is adopted.

§ 375-144 STATEMENT OF PURPOSE.

It is the purpose of this local law to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (4) control filling, grading, dredging and other development which may increase erosion or flood damages;
- (5) regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands, and;
- (6) qualify and maintain for participation in the National Flood Insurance Program.

§ 375-145 OBJECTIVES.

The objectives of this local law are:

- (1) to protect human life and health;
- (2) to minimize expenditure of public money for costly flood control projects;
- (3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) to minimize prolonged business interruptions;
- (5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, sewer lines, streets and bridges located in areas of special flood hazard;
- (6) to help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) to provide that developers are notified that property is in an area of special flood hazard; and,
- (8) to ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 375-146 DEFINITIONS.

Unless specifically defined below, words or phrases used in this local law shall be interpreted so as to give them the meaning they have in common usage and to give this local law its most reasonable application.

"Appeal" means a request for a review of the Local Administrator's interpretation of any provision of this local law or a request for a variance.

"Area of shallow flooding" means a designated AO, AH or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average annual depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, V, VO, VE, or V1-V30. It is also commonly referred to as the base floodplain or 100-year floodplain. For purposes of this local law, the term "special flood hazard area (SFHA)" is synonymous in meaning with the phrase "area of special flood hazard."

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see "Structure"

"Cellar" has the same meaning as "Basement".

"Crawl Space" means an enclosed area beneath the lowest elevated floor, eighteen inches or more in height, which is used to service the underside of the lowest elevated floor. The elevation of the floor of this enclosed area, which may be of soil, gravel, concrete or other material, must be equal to or above the lowest adjacent exterior grade. The enclosed crawl space area shall be properly vented to allow for the equalization of hydrostatic forces which would be experienced during periods of flooding.

"Critical Facilities" means:

- (1) Structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic and/or water-reactive materials;
- (2) Hospitals, nursing homes, and housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood;
- (3) Police stations, fire stations, vehicle and equipment storage facilities, and emergency operations centers that are needed for flood response activities before, during, and after a flood; and
- (4) Public and private utility facilities that are vital to maintaining or restoring normal services to flooded areas before, during, and after a flood.

"Cumulative Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds 50 percent of the market value of the structure at the time of the improvement or repair when counted cumulatively for 10 years.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, paving, excavation or drilling operations or storage of equipment or materials.

"Elevated building" means a non-basement building (i) built, in the case of a building in Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor,

elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-V30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls that meet the federal standards.

"Federal Emergency Management Agency" means the Federal agency that administers the National Flood Insurance Program.

"Flood" or **"Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood" or "flooding" also means the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in (1) above.

"Flood Boundary and Floodway Map (FBFM)" means an official map of the community published by the Federal Emergency Management Agency as part of a riverine community's Flood Insurance Study. The FBFM delineates a Regulatory Floodway along water courses studied in detail in the Flood Insurance Study.

"Flood Elevation Study" means an examination, evaluation and determination of the flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been designated as Zone A but no flood elevations are provided.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" see "flood elevation study".

"Floodplain" or **"Flood-prone area"** means any land area susceptible to being inundated by water from any source (see definition of "Flooding").

"Floodproofing" means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" - has the same meaning as "Regulatory Floodway".

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, and ship repair facilities. The term does not include long-term storage, manufacturing, sales, or service facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

"Historic structure" means any structure that is:

- (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (i) by an approved state program as determined by the Secretary of the Interior or
 - (ii) directly by the Secretary of the Interior in states without approved programs.

"Local Administrator" is the person appointed by the community to administer and implement this local law by granting or denying development permits in accordance with its provisions. This person is often the Building Inspector, Code Enforcement Officer, or employee of an engineering department.

"Lowest floor" means lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this local law.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term does not include a "Recreational vehicle"

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum of 1988 (NAVD 88), or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"Mobile home" - has the same meaning as "Manufactured home".

"New construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the community and includes any subsequent improvements to such structure.

"One hundred year flood" or **"100-year flood"** has the same meaning as "Base Flood".

"Principally above ground" means that at least 51 percent of the actual cash value of the structure, excluding land value, is above ground.

"Recreational vehicle" means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and
- (4) not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in Section 375-157.

"Start of construction" means the date of permit issuance for new construction and substantial improvements to existing structures, provided that actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading, or filling), or the installation of streets or walkways, or excavation for a basement, footings, piers or foundations, or the erection of temporary forms, or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure in two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. The term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

(1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) any alteration of a "Historic structure", provided that the alteration will not preclude the structure's continued designation as a "Historic structure".

"Variance" means a grant of relief from the requirements of this local law which permits construction or use in a manner that would otherwise be prohibited by this local law.

"Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations.

§ 375-147 GENERAL PROVISIONS.

A. LANDS TO WHICH THIS LOCAL LAW APPLIES

This local law shall apply to all areas of special flood hazard within the jurisdiction of the City of Albany, Albany County.

B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the City of Albany, Community Number 360001, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(1) Flood Insurance Rate Map Panel Numbers:

360001C0157D, 360001C0159D, 360001C0176D, 360001C0178D, 360001C0179D,
360001C0183D, 360001C0187D, 360001C0188D, 360001C0189D, 360001C0191D, 360001C0192D,
360001C0193D, 360001C0194D, 360001C0211D, 360001C0213D, 360001C0306D, 360001C0307D;

whose effective date is, March 16, 2015, and any subsequent revisions to these map panels that do not affect areas under our community's jurisdiction.

(2) A scientific and engineering report entitled "Flood Insurance Study, Albany County, New York, All Jurisdictions" dated March 16, 2015.

The above documents shall be considered to be a part of this local law. The Flood Insurance Study and/or maps shall be kept on file with the City Clerk of the City at City Hall.

§ 375-148 INTERPRETATION AND CONFLICT WITH OTHER LAWS.

This local law includes all revisions to the National Flood Insurance Program through October 27, 1997 and shall supersede all previous laws adopted for the purpose of flood damage prevention.

In their interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

§ 375-149 SEVERABILITY.

The invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

§ 375-150 PENALTIES FOR NON-COMPLIANCE.

No structure in an area of special flood hazard shall hereafter be constructed, located, extended, converted, or altered and no land shall be excavated or filled without full compliance with the terms of this local law and any other applicable regulations. Any infraction of the provisions of this local law by failure to comply with any of its requirements, including infractions of conditions and safeguards established in connection with conditions of the permit, shall constitute a violation. Any person who violates this local law or fails to comply with any of its requirements shall, upon conviction thereof, be fined no more than \$250 or imprisoned for not more than 15 days or both. Each day of noncompliance shall be considered a separate offense. Nothing herein contained shall prevent the City of Albany, Albany County from taking such other lawful action as necessary to prevent or remedy an infraction. Any structure found not compliant with the requirements of this local law for which the developer and/or owner has not applied for and received an approved variance under Sections 375-175 and 375-176 will be declared non-compliant and notification sent to the Federal Emergency Management Agency.

§ 375-151 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this local law is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This local law does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This local law shall not create liability on the part of the City of Albany, Albany County, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this local law or any administrative decision lawfully made there under.

§ 375-152 ADMINISTRATION; DESIGNATION OF THE LOCAL ADMINISTRATOR.

The Commissioner of Buildings and Regulatory Compliance or the equivalent position is hereby appointed Local Administrator to administer and implement this local law by granting or denying floodplain development permits in accordance with its provisions.

§ 375-153 THE FLOODPLAIN DEVELOPMENT PERMIT; PURPOSE.

A floodplain development permit is hereby established for all construction and other development to be undertaken in areas of special flood hazard in this community for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map enumerated in Section 375-147(B), without a valid floodplain development permit. Application for a permit shall be made on forms furnished by the Local Administrator and may include, but not be limited to: plans, in duplicate, drawn to scale and showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

§ 375-154 FEES.

All applications for a floodplain development permit shall be accompanied by an application fee of \$ 300. In addition, the applicant shall be responsible for reimbursing the City of Albany for any additional costs necessary for review, inspection and approval of this project. The Local Administrator may require a deposit of no more than \$500.00 to cover these additional costs.

§ 375-155 APPLICATION FOR A PERMIT.

The applicant shall provide the following information as appropriate. Additional information may be required on the permit application form.

- (1) The proposed elevation, in relation to mean sea level, of the lowest floor (including basement or cellar) of any new or substantially improved structure to be located in Zones A1-A30, AE or AH, or Zone A if base flood elevation data are available. Upon completion of the lowest floor, the permittee shall submit to the Local Administrator the as-built elevation, certified by a licensed professional engineer or surveyor.
- (2) The proposed elevation, in relation to mean sea level, to which any new or substantially improved non-residential structure will be floodproofed. Upon completion of the floodproofed portion of the structure, the permittee shall submit to the Local Administrator the as-built floodproofed elevation, certified by a professional engineer or surveyor.
- (3) A certificate from a licensed professional engineer or architect that any utility floodproofing will meet the criteria in Section 375-170, UTILITIES.
- (4) A certificate from a licensed professional engineer or architect that any non-residential floodproofed structure will meet the floodproofing criteria in Section 375-172, NON-RESIDENTIAL STRUCTURES.
- (5) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development. Computations by a licensed professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other material required by

the Federal Emergency Management Agency (FEMA) to revise the documents enumerated in Section 375-147(B), when notified by the Local Administrator, and must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.

(6) A technical analysis, by a licensed professional engineer, if required by the Local Administrator, which shows whether proposed development to be located in an area of special flood hazard may result in physical damage to any other property.

(7) In Zone A, when no base flood elevation data are available from other sources, base flood elevation data shall be provided by the permit applicant for subdivision proposals and other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions) that are greater than either 50 lots or 5 acres.

§ 375-156 DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR; PERMIT APPLICATION REVIEW.

Duties of the Local Administrator shall include, but not be limited to the following.

The Local Administrator shall conduct the following permit application review before issuing a floodplain development permit:

(1) Review all applications for completeness, particularly with the requirements of Section 375-155, APPLICATION FOR A PERMIT, and for compliance with the provisions and standards of this law.

(2) Review subdivision and other proposed new development, including manufactured home parks to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in an area of special flood hazard, all new construction and substantial improvements shall meet the applicable standards of Sections 375-164 through 375-174, CONSTRUCTION STANDARDS and, in particular, Section 375-165 SUBDIVISION PROPOSALS.

(3) Determine whether any proposed development in an area of special flood hazard may result in physical damage to any other property (e.g., stream bank erosion and increased flood velocities). The Local Administrator may require the applicant to submit additional technical analyses and data necessary to complete the determination.

If the proposed development may result in physical damage to any other property or fails to meet the requirements of Sections 375-164 through and including 275-174, no permit shall be issued. The applicant may revise the application to include measures that mitigate or eliminate the adverse effects and re-submit the application.

(4) Determine that all necessary permits have been received from those governmental agencies from which approval is required by State or Federal law.

§ 375-157 USE OF OTHER FLOOD DATA.

(1) When the Federal Emergency Management Agency has designated areas of special flood hazard on the community's Flood Insurance Rate map (FIRM) but has neither produced water surface elevation data (these areas are designated Zone A or V on the FIRM) nor identified a floodway, the Local Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a

Federal, State or other source, including data developed pursuant to paragraph 375-155(7), as criteria for requiring that new construction, substantial improvements or other proposed development meet the requirements of this law.

(2) When base flood elevation data are not available, the Local Administrator may use flood information from any other authoritative source, such as historical data, to establish flood elevations within the areas of special flood hazard, for the purposes of this law.

§ 375-158 ALTERATION OF WATERCOURSES.

(1) Notification to adjacent communities and the New York State Department of Environmental Conservation prior to permitting any alteration or relocation of a watercourse, and submittal of evidence of such notification to the Regional Administrator, Region II, Federal Emergency Management Agency.

(2) Determine that the permit holder has provided for maintenance within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

§ 375-159 CONSTRUCTION STAGE.

(1) In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, upon placement of the lowest floor or completion of floodproofing of a new or substantially improved structure, obtain from the permit holder a certification of the as-built elevation of the lowest floor or floodproofed elevation, in relation to mean sea level. The certificate shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. For manufactured homes, the permit holder shall submit the certificate of elevation upon placement of the structure on the site. A certificate of elevation must also be submitted for a recreational vehicle if it remains on a site for 180 consecutive days or longer (unless it is fully licensed and ready for highway use).

(2) Any further work undertaken prior to submission and approval of the certification shall be at the permit holder's risk. The Local Administrator shall review all data submitted. Deficiencies detected shall be cause to issue a stop work order for the project unless immediately corrected.

§ 375-160 INSPECTIONS.

The Local Administrator and/or the developer's engineer or architect shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions and enable said inspector to certify, if requested, that the development is in compliance with the requirements of the floodplain development permit and/or any variance provisions.

§ 375-161 STOP WORK ORDERS.

(1) The Local Administrator shall issue, or cause to be issued, a stop work order for any floodplain development found ongoing without a development permit. Disregard of a stop work order shall subject the violator to the penalties described in Section 375-150 of this local law.

(2) The Local Administrator shall issue, or cause to be issued, a stop work order for any floodplain development found non-compliant with the provisions of this law and/or the conditions of the development permit. Disregard of a stop work order shall subject the violator to the penalties described in Section 375-150 of this local law.

§ 375-162 CERTIFICATE OF COMPLIANCE.

(1) In areas of special flood hazard, as determined by documents enumerated in Section 375-147, it shall be unlawful to occupy or to permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of compliance has been issued by the Local Administrator stating that the building or land conforms to the requirements of this local law.

(2) A certificate of compliance shall be issued by the Local Administrator upon satisfactory completion of all development in areas of special flood hazard.

(3) Issuance of the certificate shall be based upon the inspections conducted as prescribed in Section 375-160, INSPECTIONS, and/or any certified elevations, hydraulic data, floodproofing, anchoring requirements or encroachment analyses which may have been required as a condition of the approved permit.

§ 375-163 INFORMATION TO BE RETAINED.

The Local Administrator shall retain and make available for inspection, copies of the following:

(1) Floodplain development permits and certificates of compliance;

(2) Certifications of as-built lowest floor elevations of structures, required pursuant to Section 375-159, and whether or not the structures contain a basement;

(3) Floodproofing certificates required pursuant to Section 375-159, and whether or not the structures contain a basement;

(4) Variances issued pursuant to Sections 375-175 through 375-176, VARIANCE PROCEDURES; and

(5) Notices required under Section 375-158, ALTERATION OF WATERCOURSES.

§ 375-164 CONSTRUCTION STANDARDS; GENERAL STANDARDS.

Sections 375-165 and 375-166 shall apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in Section 375-147.

§ 375-165 SUBDIVISION PROPOSALS.

The following standards apply to all new subdivision proposals and other proposed development in areas of special flood hazard (including proposals for manufactured home and recreational vehicle parks and subdivisions):

(1) Proposals shall be consistent with the need to minimize flood damage;

(2) Public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed so as to minimize flood damage; and,

(3) Adequate drainage shall be provided to reduce exposure to flood damage.

§ 375-166 ENCROACHMENTS.

(1) Within Zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements or other development (including fill) shall be permitted unless:

(i) the applicant demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any location, or,

(ii) the City of Albany, Albany County agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the City of Albany, Albany County for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the City of Albany, Albany County for all costs related to the final map revision.

(2) On streams with a regulatory floodway, as shown on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map adopted in Section 375-147(B), no new construction, substantial improvements or other development in the floodway (including fill) shall be permitted unless:

(i) a technical evaluation by a licensed professional engineer shows that such an encroachment shall not result in any increase in flood levels during occurrence of the base flood, or,

(ii) the City of Albany agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM and floodway revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the City of Albany, Albany County for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the City of Albany, Albany County for all costs related to the final map revisions.

(3) Whenever any portion of a floodplain is authorized for development, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or other body of water can be credited as a compensating excavation.

§ 375-167 STANDARDS FOR ALL STRUCTURES.

Sections 375-168 through and including 375-170 shall apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in 375-147.

§ 375-168 ANCHORING.

New structures and substantial improvement to structures in areas of special flood hazard shall be anchored to prevent flotation, collapse, or lateral movement during the base flood. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

§ 375-169 CONSTRUCTION MATERIALS AND METHODS.

(1) New construction and substantial improvements to structures shall be constructed with materials and utility equipment resistant to flood damage.

(2) New construction and substantial improvements to structures shall be constructed using methods and practices that minimize flood damage.

(3) For enclosed areas below the lowest floor of a structure within Zones A1-A30, AE or AH, and also Zone A if base flood elevation data are available, new and substantially improved structures shall have fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:

(i) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and

(ii) the bottom of all such openings no higher than one foot above the lowest adjacent finished grade.

Openings may be equipped with louvers, valves, screens or other coverings or devices provided they permit the automatic entry and exit of floodwaters. Enclosed areas sub-grade on all sides are considered basements and are not permitted.

§ 375-170 UTILITIES.

(1) New and replacement electrical equipment, heating, ventilating, air conditioning, plumbing connections, and other service equipment shall be located at least two feet above the base flood elevation or be designed to prevent water from entering and accumulating within the components during a flood and to resist hydrostatic and hydrodynamic loads and stresses. Electrical wiring and outlets, switches, junction boxes and panels shall also be elevated or designed to prevent water from entering and accumulating within the components unless they conform to the appropriate provisions of the electrical part of the Building Code of New York State or the Residential Code of New York State for location of such items in wet locations;

(2) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters. Sanitary sewer and storm drainage systems for buildings that have openings below the base flood elevation shall be provided with automatic backflow valves or other automatic backflow devices that are installed in each discharge line passing through a building's exterior wall; and,

(4) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

§ 375-171 RESIDENTIAL STRUCTURES; ELEVATION.

The following standards apply to new and substantially improved residential structures located in areas of special flood hazard, in addition to the requirements in Section 375-165, SUBDIVISION PROPOSALS, Section 375-166, ENCROACHMENTS and Section 375-167, STANDARDS FOR ALL STRUCTURES.

(1) Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above two feet above the base flood elevation.

(2) Within Zone A, when no base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated at least three feet above the highest adjacent grade.

(3) Within Zone AO, new construction and substantial improvements shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two feet above the depth number specified in feet on the community's Flood Insurance Rate Map enumerated in Section 375-147 (at least two feet if no depth number is specified).

(4) Within Zones AH and AO, adequate drainage paths are required to guide flood waters around and away from proposed structures on slopes.

§ 375-172 NON-RESIDENTIAL STRUCTURES.

The following standards apply to new and substantially improved commercial, industrial and other non-residential structures located in areas of special flood hazard, in addition to the requirements in Section 375-165, SUBDIVISION PROPOSAL, Section 375-166, ENCROACHMENTS, and Section 375-167, STANDARDS FOR ALL STRUCTURES.

(1) Within Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, new construction and substantial improvements of any non-residential structure shall either:

(i) have the lowest floor, including basement or cellar, elevated to or above two feet above the base flood elevation; or

(ii) be floodproofed so that the structure is watertight below two feet above the base flood elevation, including attendant utility and sanitary facilities, with walls substantially impermeable to the passage of water. All structural components located below the base flood level must be capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

(2) Within Zone AO, new construction and substantial improvements of non-residential structures shall:

(i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two feet above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

(ii) together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in paragraph (1)(ii) above.

(3) If the structure is to be floodproofed, a licensed professional engineer or architect shall develop and/or review structural design, specifications, and plans for construction. A Floodproofing Certificate or other certification shall be provided to the Local Administrator that certifies the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of paragraph

(1)(ii) above, including the specific elevation (in relation to mean sea level) to which the structure is to be floodproofed.

(4) Within Zones AH and AO, adequate drainage paths are required to guide flood waters around and away from proposed structures on slopes.

(5) Within Zone A, when no base flood elevation data are available, the lowest floor (including basement) shall be elevated at least three feet above the highest adjacent grade.

§ 375-173 MANUFACTURED HOMES AND RECREATIONAL VEHICLES.

The following standards in addition to the standards in Section 375-164, GENERAL STANDARDS, and Section 375-167, STANDARDS FOR ALL STRUCTURES apply, as indicated, in areas of special flood hazard to manufactured homes and to recreational vehicles which are located in areas of special flood hazard.

(1) Recreational vehicles placed on sites within Zones A1-A30, AE and AH shall either:

(i) be on site fewer than 180 consecutive days,

(ii) be fully licensed and ready for highway use, or

(iii) meet the requirements for manufactured homes in paragraphs (2), (3) and (4) below.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

(2) A manufactured home that is placed or substantially improved in Zones A1-A30, AE and AH shall be elevated on a permanent foundation such that the lowest floor is elevated to or above two feet above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(3) Within Zone A, when no base flood elevation data are available, new and substantially improved manufactured homes shall be elevated such that the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement.

(4) Within Zone AO, the floor shall be elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate Map enumerated in Section 375-147 (at least two feet if no depth number is specified).

§ 375-174 CRITICAL FACILITIES.

In order to prevent potential flood damages to certain facilities that would result in serious danger to life and health, or widespread social or economic dislocation, no new critical facility shall be located within any Area of Special Flood Hazard, or within any 500-year flood zone shown as a B zone or as a Shaded X zone on the Community's Flood Insurance Rate Maps.

§ 375-175 VARIANCE PROCEDURE; APPEALS BOARD.

- (1) The Board of Zoning Appeals as established by the City of Albany. County of Albany shall hear and decide appeals and requests for variances from the requirements of this local law.
- (2) The Board of Zoning Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Local Administrator in the enforcement or administration of this local law.
- (3) Those aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.
- (4) In passing upon such applications, the Board of Zoning Appeals, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this local law and:
 - (i) The danger that materials may be swept onto other lands to the injury of others;
 - (ii) The danger to life and property due to flooding or erosion damage;
 - (iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (iv) The importance of the services provided by the proposed facility to the community;
 - (v) The necessity to the facility of a waterfront location, where applicable;
 - (vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (vii) The compatibility of the proposed use with existing and anticipated development;
 - (viii) The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - (ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (x) The costs to local governments and the dangers associated with conducting search and rescue operations during periods of flooding;
 - (xi) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 - (xii) The costs of providing governmental services during and after flood conditions, including search and rescue operations, maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.
- (5) Upon consideration of the factors of paragraph (4) above and the purposes of this local law, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this local law.

(6) The Local Administrator shall maintain the records of all appeal actions including technical information and report any variances to the Federal Emergency Management Agency upon request.

§ 375-176 CONDITIONS FOR VARIANCES.

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xii) in Section 375-175(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(2) Variances may be issued for the repair or rehabilitation of historic structures upon determination that:

(i) the proposed repair or rehabilitation will not preclude the structure's continued designation as a "Historic structure"; and

(ii) the variance is the minimum necessary to preserve the historic character and design of the structure.

(3) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

(i) the criteria of subparagraphs 1, 4, 5, and 6 of this Section are met; and

(ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threat to public safety.

(4) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(6) Variances shall only be issued upon receiving written justification of:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(7) Any applicant to whom a variance is granted for a building with the lowest floor below the base flood elevation shall be given written notice over the signature of a community official that:

(i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and

(ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions as required in Section 375-163 of this local law.

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

REPORTS OF STANDING COMMITTEES:

Finance, Taxation and Assessment – Chairperson Commisso stated that the committee met on February, 18, 2015 to discuss the reappointment of Mr. Stephen McLaughlin to the Board of Assessment Review, which was reported out of committee with a favorable recommendation.

Public Safety – Chairperson Golby stated that the committee would be meeting on February 24, 2015 at 5:30 p.m. to discuss Ordinance 50.121.14R (As Amended) in relation to red light cameras.

Housing and Community Development – Chairperson Bailey stated that a public hearing has been set for March 5, 2015 on the proposed Community Development Block Grant awards.

CONSIDERATION OF ORDINANCES

Council Member Conti introduced ORDINANCE NUMBER 9.22.15, which was held:

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT AIR EASEMENT TO ALBANY MEDICAL CENTER OVER A PORTION OF THE CITY RIGHT-OF-WAY OF MYRTLE AVENUE IN THE CITY OF ALBANY FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE

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

Section 1. It is hereby authorized that the City of Albany grant a permanent air easement to Albany Medical Center over a portion of the City right-of-way of Myrtle Avenue, adjacent to 43 New Scotland Avenue, in the City of Albany.

Section 2. The form, content, terms and conditions of such easement shall be approved by the Corporation Counsel.

Section 3. The Grantees shall not hinder, interfere with, prevent, delay, obstruct or adversely affect the Grantor in the reasonable exercise of its governmental operations or function.

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 9.22.15R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL APPOINTING CHARLES C. GOODBEE, SR. AS A MEMBER OF THE CITIZENS' POLICE REVIEW BOARD

NOW, THEREFORE, BE IT RESOLVED, that Charles C. Goodbee, Sr. be and hereby is appointed as a member of the Citizens' Police Review Board for a term, expiring October 26, 2017.

BE IT FURTHER 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 – Applyrs, Bailey, Commisso, Conti, Doesschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Bailey introduced RESOLUTION NUMBER 10.22.15R (MC), asked for passage and a roll call vote thereon:

RESOLUTION COMMEMORATING BLACK HISTORY MONTH 2015 AND HONORING THE EXTRAORDINARY CONTRIBUTIONS OF AFRICAN-AMERICANS TO THE NATION AND THE CITY OF ALBANY

WHEREAS, Over the past century, African American life, history, and culture have become major forces in the United States and the world. In 1915, few could have imagined that African Americans in music, art, and literature would become appreciated by the global community. Fewer still could have predicted the prominence achieved by African Americans, as well as people of African descent, in shaping world politics, war, and diplomacy. Indeed, it was nearly universally believed that Africans and people of African decent had played no role in the unfolding of history and were a threat to American civilization itself. A century later, few can deny the centrality of African Americans in the making of American history. African-Americans have provided much labor, intellect, creativity, strength and leadership that has made the United States of America a great place to live and a leader in the attainment of freedom and justice in the modern world; and

WHEREAS, African-Americans have also supplied much of the labor, intellect, creativity, strength and leadership that built the City of Albany and its many neighborhoods and communities since colonial times and played a major role in the justice and freedom seeking activities of the Underground Railroad. While the spotlight often shines on individuals, this movement is the product of organization, of institutions, and institution-builders who gave direction to effort. The national Urban League promoted the Harlem Renaissance. The preservation of the black past became the mission of Arturo Schomburg and Jesse and Mooreland, leading to the rise of the Schomoburg Research Center in Black Culture and Howard University's Moorland-Spingarn Research center. The vision of Margaret Burroughs and others led to the African American museum movement, leading to the creation of black museums throughout the nation, culminating with the Smithsonian's National Museum of African American History and Culture. Student activism of the 1960s resulted in the Black Studies Movement and creation of black professional

associations, including the National Council of Black Studies, and a host of doctoral programs at major American universities; and

WHEREAS, the extraordinary role of African-Americans in the nation as a whole and Albany in particular has too often been overlooked by both well-meaning individuals and those blinded by the legacy of racism left in the wake of our nation's history of slavery and bondage. This transformation is the result of effort, not chance. Confident that their struggles mattered in human history, black scholars, artists, athletes, and leaders used their talents to change how the world viewed African Americans. The New Negro of the post-World War I era made modernity their own and gave the world a cornucopia of culture gifts, including jazz, poetry based on the black vernacular, and an appreciation of African art. African American athletes dominated individual and team sports transforming baseball, track-and-field, football, boxing, and basketball. In a wave of social movements African-American activism transformed race relations, challenged American foreign policy, and became the American conscience on human rights; and

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

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

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

WHEREAS, at the dawn of these strivings and at all points along the road, the association for the study of Negro Life and History, now Association for the Study of African American Life and History (ASLAH) has played a vital role. When he founded the Association in 1915, Carter G. Woodson labored under the belief that historical truth would crush falsehoods and usher in a new era of equality, opportunity, and racial democracy, and it has been its charge for a century. In honor of this milestone, ASALH has selected "A Century of Black Life History, and Culture" as the 2015 National Black History theme. The intellect, creativity and leadership of African-Americans throughout the City of Albany's history remains a largely untold story and it is important for all residents of our City to become familiar with it; and

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

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

WHEREAS, the 1st Ward is proud to recognize **Leah Perkins** as its Black History Month honoree. Prior to assuming the role of the parent and community liaison at KIPP Tech Valley Charter School, Leah Perkins was the founding 5th grade teacher. She also taught elementary school for several years prior to that. She began her teaching career as a volunteer for Junior Achievement in the Bronx, NY.

A graduate from St. Rose College with a B.S. in Elementary Education, she is also a Master's Degree candidate in art education with a focus on Technology from Phoenix University. Leah has developed several web quests, which were aligned and embedded in the curriculum which led to increased levels of student achievement. The Bronx native believes academic excellence can be obtained by any student and that the teacher should expect more from a student than a student can believe is possible.

WHEREAS, the 2nd Ward applauds the commitment and service of **Shameka Andrews**. Shameka Andrews is the wellness coordinator for the Independent Living Center of the Hudson Valley. Shameka works with healthcare and community organizations to improve access to healthcare and wellness programs for people with disabilities. She worked with the Capitol District Center for Independence for two years, helping people with disabilities apply for benefits and eight years for the Self Advocacy Association of New York State providing disability awareness training to New York State government, community organizations, and schools. In 2006 she won the title of Miss Wheelchair New York. The Ms. Wheelchair New York program promotes disability awareness, education and advocacy and celebrates the accomplishments of women who use wheelchairs. In 2013 she became the State Coordinator for the Ms. Wheelchair New York program. She also serves on the OPWDD Commissioners Advisory Council and the Developmental Disabilities Planning Council.

WHEREAS, the 3rd Ward is proud to recognize and honor **Ms. Barbara Ann Fiddemon** as a Top Educator in Albany. Ms. Fiddemon was born one of seven children to the late Roger Lee Fiddemon and Babette Perkins-Fiddemon. Her parents always instilled and expected their children to push for self-sufficiency, with education as a means to get there. Showing signs of leadership from early, Barbara pursued an Honors academic track, participated in numerous extracurricular activities in her school and community. She was even nominated by her peers as Senior Class President and Prom Queen to name a few. Upon graduation from high school, she was accepted into Rensselaer Polytechnic Institute (RPI) and flourished from there. Ms. Fiddemon has spent her career serving the youth of Albany, whether it has been academic, recreational or with the 'at-risk' population. Before entering the realm of academics, Ms. Fiddemon worked as a Gang Prevention counselor for the City of Albany, Mentor for the Progressive Adolescent Vocational Experience Program (P.A.V.E) and for the Y.M.C.A as Recreational Counselor for outdoor recreation in Arbor Hill. She has also served as the coach to the freshman girls' basketball team for five (5) years and as Advisor to the National Honor Society for two (2) years at Albany High School. She has volunteered countless hours for events such as the Joyce E. King (JEK) & Summertime Love Basketball tournaments, neighborhood cleaning initiatives and tutoring services for the youth. Currently, she can be found volunteering for Green Tech High in the concession stand and at basketball games. In continuing her efforts to help serve the youth, Ms. Fiddemon has continuously engaged herself in multiple facets of educational trainings to best service our city's youth academically. Starting as a Teacher's Assistant at her Alma Mater, Albany High School, her daily interactions with large populations of students inside the classroom prompted her to make the move to become a Mathematics Teacher. This move would feed her passion to connect with all students on a deeper basis, especially in Mathematics. Barbara has taken advantage of some the best professional developments including nationally accredited learning programs such as National Urban Alliance (NUA) and International Baccalaureate Organization (IBO). She was chosen to participate in the National Academy of Advance Teachers in Education (NAATE), an elite corps of extraordinary teacher leaders committed to the classroom and dedicated to closing the achievement gap in our nation's high-needs schools. Ms. Fiddemon is currently a Mathematics Teacher at Green Tech Charter High School in Albany, NY, which services mostly all African-American males. During her five (5) years, Ms. Fiddemon has written, developed and designed multiple curriculums for various Mathematics courses, particularly Algebra. For the past five years in a row, Ms. Fiddemon has repeatedly *surpassed all state pass rates* for Algebra, Geometry and Trigonometry courses with a population listed at the bottom of the achievement gap; African American males. In one case, data from the 2012-2013 school year for the *Integrated Algebra Regents Exam*, Ms. Fiddemon produced passing rates of

76% during the first attempt, while state pass rates were 74% and urban counterparts Albany - 41% and Schenectady – 54%. When compared to the cohort of young African Americans only, 57% of the state passed. She is truly a champion of Mathematics Instruction as she demonstrates instructional mastery and leadership qualities in and outside of the classroom. She has also been raising her niece and nephew for the past seven (7) years. We are thankful for all of Barbara’s dedicated service and outstanding work on behalf of Albany student scholars, and are pleased to have this opportunity to recognize her as an exemplary resident and the Top Educator of Albany’s 3rd Ward.

WHEREAS, the **4th Ward** recognizes the life of **Michael Grady**. Michael is a life long resident of the City of Albany and a product of the Albany City Schools. He attended Arbor Hill Elementary School, Phillip Livingston Middle School, and graduated from Albany High School in 1986. He has been employed by the Albany Housing Authority for close to two decades. He serves as a CSEA Delegate Statewide, is Unit Vice President of Local 801, is involved with contract negotiations and grievances, is the Disciplinary Representative for the CSEA, and formerly was the Vice President of Coalition of Black Trade Unionists. He is currently studying Business Administration at Hudson Valley Community College. Michael is a neighborhood leader in the 4th Ward and volunteers his time to numerous local charities. He is also a member of the Free Masons.

WHEREAS, the **5th Ward** honors the service of Minister **Michael-Aaron Poindexter** who joyfully serves as the Minister of Youth and Young Adults of the Metropolitan New Testament Missionary Baptist Church, a growing, vibrant, exciting ministry of 1,700 believers in Albany, NY. He accepted his call to preach at 15 and began preaching the gospel at the age of 18. He has earned a Bachelors Degree in Religious Studies from The University at Albany, State University of New York, as well as a Master of Divinity degree from the United Theological Seminary of Dayton, Ohio. He also plans on pursuing a doctorate degree in the near future. Since serving at Metropolitan, Minister Poindexter has launched a growing and exciting young adult ministry, instituted multiple community service projects, and worked with the transformation of Christian Education. Through prayer and strong leadership, he created an ever growing full day five-week summer camp, which averages 85 campers ages 13 and under and is entering its fourth consecutive year. He has implemented a church Girl Scout Mentoring Troop, the first church based troop and the second largest troop in the Capital Region. In addition, Minister Poindexter implemented a weekly free karate program, the first church based Karate Team of the Capital Region, as well as a weekly children/teen fellowship. Both the Youth and Young Adult Ministries have grown exponentially in outreach ministry, church membership, and community missions. In 2009 he received the Dr. Spurgeon E. Crayton Seminarian Award from the Empire Convention Congress of Christian Education, demonstrating strong promise in preaching, teaching, and ministry. He has been featured as the cover article for the “Faces of Faith” section in the Times Union newspaper due to his dedicated work within his community and he has received numerous awards from various academic, religious and community organizations. Minister Poindexter has had the pleasure of preaching, speaking, and teaching at many different churches, community venues, and institutions of higher education across the nation.

WHEREAS, the **5th Ward** also has the privilege of honoring **Minister Jahmel Robinson**. Minister Robinson grew in the inner City of Albany, and is an anointed and God-appointed individual. He was licensed to preach at the age of 22 by the Metropolitan New Testament Mission Baptist Church and serves in many capacities of ministry including; the co-organizer and past facilitator of T.U.F.F. (Teens Utilizing Fearless Faith) a teen bible study and fellowship, facilitator of the Young Adult Sunday School. Minister Robinson also served as the Minister of Technology. In 2015 Minister Robinson was appointed as the Director of Ministries at Metropolitan. Minister Robinson also served as the Youth Director for the Central Hudson Baptist Association Youth Department. During his tenure as Youth Director Minister Robinson placed a strong emphasis on community involvement. Although Minister Robinson attributes all his work to the Glory of God, it has not gone unnoticed; he has been featured as a cover story for his work

with Youth Ministry in the Albany Times Union Newspaper. In 2001, the Central Hudson Baptist Association honored Minister Robinson for being a Man of Integrity. Minister Robinson has received a Certificate of Merit from the New York State Legislators Office, a Letter of Commendation from Senator Neil Breslin, and was the first recipient of the Empire Baptist Missionary Convention Congress of Christian Education Sandy F. Ray Seminarian award. Minister Robinson is a graduate of SUNY Empire State College in the disciplines of Human Development and Ministerial Counseling. Minister Robinson currently holds a Master of Arts in Leadership degree from the prestigious Luther Rice University & Seminary.

WHEREAS, the **6th Ward** commends **Martin Robinson** for his achievements and honors him during this Black History Month Celebration. Martin received his B.A. in Political Science from SUNY Albany and is currently working on his MPA at Rockefeller College of Public Affairs and Policy. During the course of his academic pursuits he's also interned at the New York Business Development Corporation and Center for Technology in Government and currently interns at the NYS Department of Tax and Finance as well as having received several undergraduate honors and awards. But it is as News Director at radio station WCDB (90.9FM) and host of The Weekly Current that he is best known and made his mark. Martin has been described as a news junkie, constantly watching and reading about what's going on in the world. He also likes an honest, knowledgeable, and straight forward discussion about politics, current events and whatever may be relevant and important to people. His keen interest in current affairs has shaped The Weekly Current into an important, and much needed, news forum on local issues in the City of Albany and the Capital Region; and he has become a constant presence at Albany Common Council meetings covering our proceedings and tweeting our actions in real-time! And it's not just local issues, he's also used The Weekly Current as a forum to discuss state, national and international issues as well. Martin's keen interest in government and public affairs is refreshing and his role as a budding journalist helping to educate the public on important issues makes him a role model for a new generation.

WHEREAS, the **7th Ward** is delighted to recognize and honor resident **Antonia Brown** for her service to the community at this year's Black History Month celebration. Antonia Brown is a lifelong resident of the Albany area. She works for the New York State Assembly as an Administrative Aide. Antonia (affectionately known as Toni) is a singer, songwriter, actress, musical director; and vocalist. Antonia worked many years for the Albany City School District and Head Start facilitating several workshops in reference to family and community development. Toni is the Founder/Director of "A Pilgrimage of African Music History Project", an educational celebration of the musical contributions of the African American slave on American and world popular music. Also, she is the musical director of the Metropolitan Missionary Baptist Church's Metro Stars and Drake Chorus youth choirs. Her mission is to inspire the children of African American ancestry along with children of all races to have high self-esteem and become their best. Toni has performed and ministered to both secular and religious institutions. She has worked with Too Deep Entertainment, Albany Park Playhouse (having a leading role as Motormouth Maybelle in Hairspray,) Liberty Partnership, and the Capital District African American Coalition on AIDs dealing with families living with AIDs/HIV. Her talent has also taken her to Japan many times as a Christian artist facilitating Gospel Workshops. Antonia's mission is to use her talent and gifts to build stronger families. Toni understands that strong schools and communities are developed by strong family relationships. She understands that music and art are important missing pieces to life's puzzle. Toni believes that music and art go beyond words to communicate and resolve many of life's great demands.

WHEREAS, the **8th Ward** nominates **Beverly Ivy** for her outstanding contribution to the education system and the community. Born and raised in New York City and educated in the New York City public school system. Ms. Ivey holds the following degrees B.A. in Elementary Education, Master of Business Administration in Marketing and Professional Diploma in Administration and Supervision. Ms.

Ivey started her career in the private sector as a Business Manager in advertising and Assistant Buyer at JC Penney's buying office in New York City.

Ms. Ivey began teaching 6th grade on the upper Westside of Manhattan. She also served as chairperson for the school's Comprehensive School Improvement Plan, as well as developing curriculum for black and Puerto Rican social studies. In 1989, Ms. Ivey relocated to the Albany area to join the New York State Education Department as a Regents Minority Management Fellow. After the fellowship, Ms. Ivey secured a position with SED as an Associate in the Social Studies bureau. In that capacity she, provided technical assistance regarding social studies and developed the New York State Board of Regents Examinations, Regents Competency Tests and Program Evaluation Tests in Social Studies. Ms. Ivey served as an elementary school principal in Ithaca, New York for one year. In 1997, Ms. Ivey returned to Albany and joined the City School District of Albany as Assistant Principal at Giffen Memorial Elementary School. In that role Ms. Ivey supervised classroom teachers, evaluated staff, planned and promoted the infusion of multicultural curriculum, developed community relations as well as increased PTA involvement.

After 11 years at Giffen Memorial Elementary School, Ms. Ivey was transferred to Albany School of the Humanities, where she continued her work of providing instruction to the teaching staff and overseeing the day-to-day activities and programs for the students. Ms. Ivey was later assigned to the office of Pupil Personnel, where she adjudicated cases involving students who had violated school policy. Ms. Ivey also worked as the district's Professional Development Coordinator. Ms. Ivey's last position with the school district was Interim Principal at New Scotland Elementary School. Ms. Ivey is involved in civic and social activities. She is a past 1st Vice President of the Albany NAACP, Past Vice President Friends of the Albany Public Library, Immediate Past President of The Albany District Links, Recording Secretary of Alpha Kappa Alpha Delta Mu Omega, Committee Member Black Child Development Institute, Albany Chapter. Ms. Ivey has recently retired after 30 years as an educator. Ms. Ivey enjoys traveling, shopping, playing cards and reading. She resides in Albany and is a member of Macedonia Baptist Church.

WHEREAS, the **9th Ward** is proud to recognize **Assie Bishop** as it's honoree for the 2015 Black History Month celebration. Assie Bishop moved to the Albany in 1992 from St. Louis, Missouri to serve as the Assistant Dean of Student and Minority Affairs for Albany Medical College. A major charge of this position was to increase the population of underrepresented minorities in the medical school. However, Assie's goal was not only to increase the matriculation rate of minority students in the school, but also to help them stay in school and graduate despite the financial, physical, mental and cultural challenges minority students face. Prior to her arrival at AMC, the number of minority students in each class ranged from none to three. During her tenure Assie provided valuable assistance, guidance and support that helped over 100 minority students enroll in the college, overcome these hurdles, and graduate and become physicians. At least three of these students were from the Capital District. Most importantly, many of these students chose to go back to their communities to practice medicine. A real tribute to Assie is how many of these doctors continue to keep in touch with her, often sending messages and dropping by to say "thanks" when they are in the area. During her tenure at AMC, Ms. Bishop was also the Director of the Science and Technology Entry Program (STEP) that is designed to mentor high school students to encourage them to go into the fields of science, math, engineering and technology. Each year, 40 students participated in the program and were provided with opportunities to intern, learn from experts in their field, visit colleges and be mentored and tutored by medical students. Since 2008 Ms. Bishop has been working part time at Excelsior College where she serves on the Assessment Team and teaches courses in Ethics, Conflict Management, and Diversity and Global Understanding. Throughout her career, Ms. Bishop has looked for different ways to mentor students of all ages, ranging from developing a Pen Pal Program between elementary students and medical students, to administering the Myers Briggs Type Indicator to SUNY Albany students and medical students to help them understand their learning styles and career preferences. Her next project, kicking off on March 14th, is to start a Book Club for girls ages 14-17 with her good friend, Vivian Kornegay. Ms. Bishop has a BA in Elementary Education and Psychology; an MS in Educational Administration and Supervision; an MS in Medical Bioethics; an MS in Applied Theology,

and an Education Specialist Degree in Counselor Education. She holds a number of certificates and teaches CPR and Sanctuary and Therapeutic Crisis Intervention for a human services agency in the Capital District. Ms. Bishop has served on several boards, currently including the Epilepsy Board and the Board of Capital Roots (formerly known as the Capital District Community Gardens). She is also currently Co-chair of the Leadership Committee on Inclusion, a committee comprised of representatives from the different colleges and universities in the area. Assie and her partner also have a small woman's clothing, fragrance and fashion accessory business in Albany. Assie has a son, Martin Bishop, a God-daughter, Nichola Cook, who is the daughter that she never had, and four beautiful grandchildren. She is a lifetime member of Alpha Kappa Alpha Sorority. Assie lives her life by Gandhi's quote "The best way to find yourself is to lose yourself in the service of others." We are lucky to have Ms. Bishop in our community, losing herself in the service of others, and are pleased to recognize Assie Bishop as an outstanding mentor and exemplary resident of Albany's 9th Ward.

WHEREAS, the 10th Ward honors **Cathy Edmondson** during this Black History Month celebration. Cathy was born and raised in Albany, NY. She attended Albany Public Schools and then graduated from Hudson Valley Community College. Cathy and her husband William Edmondson have lived in the Pine Hills neighborhood with their four children Donya, Brad, Arica, and Ashley Coles for the past eighteen years. All of Ms. Edmondson's children attended Albany City Schools. The Edmondsons' block has many neighbors who are civically engaged and Cathy has a reputation for being a friendly, caring neighbor who pitches in and helps when needed. As a lifelong resident of the city, Cathy worked for thirty years with Albany's children and families as Health/Nutrition coordinator with the Albany Community Action Partnership Head Start Program. Head Start recognizes the needs of young children and families in our community and offers educational opportunities and services. Cathy found it very rewarding to watch the children develop and witness how Head Start prepared the children to succeed. In Ms. Edmondson's thirty year career at Head Start, Cathy often worked with more than one generation of a family since many Head Start graduates enrolled their own children in the program once they had families. In November 2014, Cathy was given the opportunity to use her skills as the Albany City School District's Community Engagement Coordinator. This new and exciting challenge allows Cathy to continue working with Albany's children and families as the children grow from pre-k through high school.

WHEREAS, the 11th Ward recognizes **Barbara N. Howard** as its honoree. Barbara was born and raised in Albany, New York. She attended schools within the Albany Catholic Diocese. She earned her Bachelor of Science degree in Business Administration from the State University of New York at Brockport and her Master's Degree in Elementary Education from Grand Canyon University. Mrs. Howard is an elementary school teacher, professional singer, actor, and storyteller. She has performed in Birmingham, England and throughout the United States. Some of her recent performances include *Caroline. or Change*, *Reunion in Bartersville* (Hattie Harper), *A Raisin In The Sun* (Lena Younger, Mama), *Ragtime* (Sarah's friend), *The Sound of Music* (Sister Berthe), *Mother I'm Here* by Maria Bryce, *The Voice of the Black Minister* (Woman Minister), *THE RETURN* by Dan Dobeck, and *Eggs for Easter*. She has performed at Jacob's Pillow theatre in the Berkshires, has been the opening act for Shirley Caesar, and has shared the stage with Dr. Bobby Jones. She has also performed at state, county and city government functions as well as religious and missionary events to help the poor. For sharing her artistic talents in so many ways, and for using music as a teaching tool, Mrs. Howard has received many awards. She is the recipient of the 2009 NYS Community Distinction Award, the 2009 Next Generation Service Honoree (for her community service efforts), the NYS 2011 Women in the Arts Distinction Award, and the 2012 Theater Association of New York State (TANYS) Outstanding Achievement Award for the role of Lena Younger in *A Raisin in the Sun*. She is also the recipient of the 2014 Black Women's Association of Albany "Woman of Distinction" Award. As an educator and performer, Mrs. Howard believes that her purpose is to empower and inspire people through knowledge and the gift of song. Barbara Howard is the

wife of Pastor Ronald D. Howard. They have two lovely daughters, Claire and Diona (Claude, Sr.), and one grandson Claude Jr.

WHEREAS, the **12th Ward** proudly acknowledges the Black History Month honoree, the **Rapp Road Historic Association**. The Association's President is Beverly Bardequez. The Rapp Road Historical Association was chartered in 2006 to celebrate and education our city regarding the Great Migration Movement of African Americans from the South to Albany, New York. The Rapp Road Historical Association actively works to preserve the homesteads founded early in the 20th Century by Louis Parson, Jack Johnson, their families, and the many people from Shubuta, Mississippi, who migrated north with them for a better life in Albany. Most of the southern migrants had been sharecroppers in the South. They were used to working the land, raising animals, and building what they needed. In May 1930, Louis Parson and William Toliver purchased a fourteen-acre tract of land on Rapp Road and in March 1933, Louis Parson and his wife Frances, purchased another adjoining fourteen-acre tract of land on Rapp Road. This land was rural, surrounded by farms, located in the western extension of Albany in the Pine Bush. Parson's plan was to sell tracts of land to members of his First Church of God In Christ. For many of the families that Parson and Johnson brought from the South, church was a major part of their daily lives. The church was originally located at 40 Franklin Street. Today the church is located at 121 Jay Street and continues to serve as the Wilborn Temple First Church of God In Christ. After Louis Parson's death in 1940, Frances married William Wilborn who was appointed Parson's successor as pastor to the First Church of God In Christ. Frances Parson Wilborn continued to make her first husband's vision and plans a reality. She continued to sell tracts of land in the Pine Bush to members of the congregation. The names Frances Parson and Frances Wilborn, both appear on the original list of land deeds. Officially between 1942 and 1963, twenty-three families bought tracts of land from Parson's original land purchases. The residents on Rapp Road worshiped in the same church, had moved to Albany from the same part of the country, had similar values and upbringing, and moved to Rapp Road around the same time. As a result, the community on Rapp Road was a tight-knit one that grew quietly and prospered. Essentially, the Rapp Road families recreated their roots and way of life in Albany's Pine Bush. Rapp Road and the surrounding areas were slow to change until 1971 when the Washington Avenue Extension was built. This road opened up the entire area to new development. The new road cut into the Rapp Road Community. At one point Libbie Toliver's (William Toliver's wife) house sat in the middle of where the Washington Avenue Extension is today. She was given the option, "sell it or move it." She opted for the later and the house was moved forward approximately one hundred yards. The house relocated to number 8 Rapp Road was sold and dismantled in 2012. It was the first original home built in the Rapp Road Community. In 2002 the community was designated by the state of New York as a "New York State Historic District" and in 2003 a "National Historic District"; and in 2006 the state Department of Education chartered the Rapp Road Historical Association. The Rapp Road Community should be cherished as a unique part of Albany. However, the community continues to face many challenges from two major corporations and other individual contractors that want to change the integrity of the original community. Presently, second, third, fourth and fifth generation members continue to reside in the community. Others are making plans to return. Members of the Rapp Road Historical Association are striving diligently to restore and preserve the remaining homes, and preserve its character as a local Rural Historic District.

WHEREAS, the **13th Ward** honors **Jonnine Yarbrough** during this celebration. Jonnine Yarbrough is the daughter of two Air Force veterans, Johnnie Yarbrough and Maxine Everett Yarbrough. She has one sister, Joy Yarbrough, one brother Gregory Yarbrough, and one faithful companion, her pitbull/Labrador mix - Hemi. She graduated from Bishop Maginn High School and earned her B.S. degree in Mass Communication with a double minor in English and Social and Behavioral Science from the University of Central Florida. From there, she obtained her M.S. degree at Full Sail University in Entertainment Business and Sports Management and is currently seeking employment in the field. Jonnine is a member of the Zeta Phi Beta Sorority, Inc, where she serves as the Public Relations officer. She

enjoys gospel choir singing and dancing with her Radio Disney Road Crew. She served as Senior Sports Writer and Editor for the *Greatest Of All Time Sports and Music Magazine* in Orlando, Florida until its closing. She is now employed by Fidelis Care health insurance company. She is a member of Out of the Pits (a non-profit organization dedicated to the rescue and rehabilitation of **pit** bulls) and advocates for fair treatment of Pit Bulls.) She loves and serves in her church of Metropolitan Baptist Church where she grew up. Jonnine serves in the capacity of Church Trustee, Audio/Visual Assistant, Church Security Team Member, and organizer of the Drake Chorus Reunion Choir. She is an avid sports fan and enjoys designing web pages and updating and maintaining social media sites.

WHEREAS, the **14th Ward** is pleased to recommend **Dafney Amilcar-Rodriguez** as its honoree. Originally from Brooklyn, New York, Dafney Amilcar-Rodriguez was raised in a traditional Haitian household. A household filled with love and a strong emphasis in the pursuit of Education. This very emphasis led Dafney to attend the University at Albany, pursuing a Bachelor of Arts in English and later a Master of Science in Education Administration and Policy Studies. Dafney's vast professional experiences as the Coordinator of the Collegiate Science and Technology Entry Program (CSTEP) & (SUNY LSAMP) at SUNY Albany, the Manager of Housing Services at the New School University in New York City, Assistant Dean of Students and Assistant Director of HEOP at Rensselaer Polytechnic Institute in Troy, New York, has led to the preparation for her current role as the Bursar at the University at Albany.

As the Bursar, Dafney is responsible for the receipt and recording of University tuition, general funds, scholarships, state and federal aid, third party payments and departmental revenue. Coupled with an innate need to succeed, Dafney attributes her accomplishments to her very supportive family and the Educational Opportunity Program (EOP) for being the foundation of her achievement. Dafney continues to build upon that foundation through volunteerism and community engagement with the Junior League of Albany, an organization of women committed to promoting voluntarism, developing the potential of women and improving the community through the effective action and leadership of trained volunteers. With the Junior League, Dafney has assisted in the support of the Albany and Capital District community through its childhood literacy initiatives and most recent community impact endeavor, Hunger. In working with the Junior League, Dafney continues to chair its Rockwell Scholarship committee, who is charged with identifying young woman who seek to obtain an education and skills necessary to further their volunteer potential. As a member of Zeta Phi Beta Sorority, Inc., Dafney continues to support the Albany community through, Scholarship, Service, Sisterhood and Finer Womanhood in her most recent elected role as Treasurer. In providing culturally appropriate informational activities, fostering collaborative partnerships between community organizations with shared goals, and facilitating community service and mentorship opportunities; Dafney's work with Zeta Phi Beta Sorority, Inc. continues to strengthen her need to serve. As a member of Metropolitan New Testament Mission Baptist Church in Albany, Dafney lends her voice to its Music Ministry in the Damone Paul Johnson New Birth Choir, named after the its Pastor, Reverend Dr. Damone Paul Johnson. Dafney went on to volunteer with the Girl Scouts of North Eastern New York as a Girl Scout Troop Leader. In doing so, Girl Scouts helps to build girls of courage, confidence, and character, who make the world a better place. Dafney turned to Metropolitan New Testament Mission Baptist, in the hopes to develop a Troop there. Two years in the making, Dafney has facilitated the development of a multi-level Girl Scout Troop from grades 5-12 consisting of 27 scouts and 7 volunteers. As these endeavor grow, Dafney hopes to inspire her greatest gifts; son, Amil age 15, and daughter, Amia age 6, and to make her family and husband, Brian proud. It is Dafney's personal mission to continue to foster personal growth and development whereby to promote access and opportunity through enriched, experiential and diverse educational opportunities.

WHEREAS, the **15th Ward** is pleased to honor **Dana Mackey**. Dana is a lifelong resident of the City of Albany. She has two adult children and four grandsons. She attended School No. 5, School No. 6 and then Arbor Hill Elementary School, Philip Livingston Middle School and Albany High School

graduating in 1983. She attended the Sawyer Business School where she received her Associates Degree, and then immediately went to work at age 21 with the Albany City School District, at Arbor Hill Elementary School from 1987 to date, over 26 years. Dana is a P.A. in Special Education. Dana Mackey also runs the Early Bird Program at Arbor Hill which is for working parents to drop their children off early. It's a Before school program to assist parents who have to be to work by 8-8:30, since Arbor Hill is a late start school. She also worked for 3 years at the Capital District Juvenile Secured Detention Facility where she was a Detention Counselor. She attended Arbor Hill Elementary School, her children attended the school, and now she is employed there. Ms. Mackey coordinated the celebration for the 40th anniversary of Arbor Hill Elementary School. She is a member of Macedonia Baptist Church where she is Vice President of the Usher Board. Her service is to Serve others.

NOW, THEREFORE, BE IT RESOLVED, that the Albany Common Council, acting on behalf of all the people of the City of Albany, hereby commemorates February 2015 as Black History Month, and pauses in its deliberation to honor the sacrifices and contributions made by African-Americans.

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

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

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

Affirmative 15 Negative 0 Abstain 0

Resolution Number 10.22.15R (MC) was co-sponsored by Council Members Applyrs, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson.

President Pro Tempore Conti asked and received majority consent to add Resolution Numbers 11.22.15R and 12.22.15R, which was approved by unanimous voice vote.

Council Member Golby introduced RESOLUTION NUMBER 11.22.15R (MC), asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING JAMES BRADLEY AS A MEMBER OF THE CITIZENS’ POLICE REVIEW BOARD

NOW, THEREFORE, BE IT RESOLVED, that James Bradley be and hereby is reappointed as a member of the Citizens’ Police Review Board for a term, expiring October 26, 2017.

BE IT FURTHER 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 – Applyrs, Bailey, Commisso, Conti, Doeschate, Fahey, Flynn, Golby, Herring, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

Affirmative 15 Negative 0 Abstain 0

Council Member Flynn introduced RESOLUTION NUMBER 12.22.15R (MC), asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE BOARD OF ESTIMATE AND APPORTIONMENT TO DECREASE THE SALARY OF THE COMMON COUNCIL POLICY/FISCAL ANALYST

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, the St. Patrick’s Day Parade is a long standing tradition in the City of Albany. The Parade has traditionally been held under the auspices of the City of Albany and organized by a parade event committee. The administration has requested that the group organizing the parade contribute \$20,000 this year in order for the parade to continue; and

WHEREAS, the Gospel Gala and Juneteenth have become beloved Albany traditions and well attended by the residents. These events have also been in danger as they have been asked to raise the funding to continue; and

WHEREAS, the City of Albany Common Council is concerned with the precedent this sets moving forward for this parade and the Memorial Day and Veteran’s Day Parades and endangers the event moving forward as they have been warned that the contribution may increase to \$50,000 next year. The Common Council wishes to fund a portion of the St. Patrick’s Day Parade, Gospel Gala, and Juneteenth through a to date unused salary line to avoid the parade and event organizers from having to raise \$20,000 in less than a month.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council consents to the decrease in salary for the position of Common Council Policy/Fiscal Analyst.

**Note: Council Members Applyrs, Conti, Commisso, Doeschate, President McLaughlin and Barbara Samel asked and answered questions for clarification.*

President Pro Tempore Conti made a motion to table Ordinance Number 12.22.15R (MC), which was seconded.

**Note: Council Members Igoe, Kimbrough, Robinson would like to be added as co-sponsors. President McLaughlin and Barbara Samel clarified that tabling a piece of legislation does not have a timeframe for consideration and that there is no discussion on motions to table.*

The motion to table resolution failed by the following voice vote of all the Council Members elected voting in favor thereof:

Affirmative –Conti, Doeschate, Fahey, Golby and Herring

Negative – Applyrs, Bailey, Commisso, Flynn, Igoe, Kimbrough, Kornegay, Krasher, O’Brien and Robinson

Affirmative 5 Negative 10 Abstain 0

**Note: Council Members O'Brien, Fahey, Igoe, Herring, Golby, Doesschate and Conti 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 – Applrys, Bailey, Commisso, Flynn, Igoe, Kimbrough, Kornegay, Krasher, O'Brien and Robinson

Negative – Conti, Fahey, Golby and Herring

Present – Doesschate

Affirmative 10 Negative 4 Abstain 0 Present 1

Council member Herring asked for passage of RESOLUTION NUMBER 5.12.15R (RESOLUTION OF THE COMMON COUNCIL APPOINTING STEPHEN MCLAUGHLIN AS A MEMBER OF THE BOARD OF ASSESSMENT REVIEW), which had been previously introduced.

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:

1. Pasquale Lucarelli, Albany County Development Agency 200 Henry Johnson Blvd. Albany NY 12210.
2. Linda Culihan, Albany County Clerk's Office, 16 Eagle Street – Room 128 Albany, NY 12207
3. Laura Green, Albany County Clerk's Office, 16 Eagle Street – Room 128 Albany, NY 12207

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 February 19th, 2015

CASHAWNA PARKER

