

# ALBANY COMMON COUNCIL MINUTES OF A REGULAR MEETING

**Monday, December 16, 2013**

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

The roll being called, the following answered to their names: Council Members Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

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

Council Member Konev led the Pledge of Allegiance.

## **PUBLIC COMMENT PERIOD**

1. Kathy Sheehan, Treasurer, 71 Marsdale Street, Albany, NY (Proposed 2014 Budget);
2. John Wolcott, 344 Sheridan Ave 12206 (HRC Deliberation & Decisions)
3. Marion Anderson, 491 Livingston Ave (Park South Amendments)
4. Andrew Harvey, 271 Myrtle Ave (Park South Amendments) aach2004@alo.com
5. Michael McGovern, 116 Morris Street 12208 (Park South) Michael@michael McGovern.com
6. Eugene Rodriguez, 1879 SR 81 Earlton NY (Job Corp Outreach) generodriguez@yahoo.com
7. Judy Doesschate, 380 New Scotland Ave (Park South)
8. Gene Solan, 16 Prospect (Park South) gsolan1@yahoo.com

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

## **CONSIDERATION OF LOCAL LAWS**

The Local Laws were held at the request of President Pro Tempore Conti.

## **REPORTS OF STANDING COMMITTEES**

NONE

## **REPORTS OF AD HOC COMMITTEES**

**Park South Ad Hoc Committee** - President Pro Tempore Conti stated the Park South Committee met on December 13, 2013 to discuss the Park South amendments. The committee was presented with alternative options and Ordinance Number 44.91.13(MC) was voted out of committee with no recommendation.

**President Pro Tempore Conti made a motion to change the order of business to allow for the consideration of Resolution Numbers 112.122.13R and 113.122.13R, which was approved to unanimous voice vote.**

**President Pro Tempore Conti introduced RESOLUTION NUMBER 112.122.13R, asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL ISSUING A NEGATIVE DECLARATION/AMENDED FINDINGS STATEMENT IN ACCORDANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONVERSATION LAW (SEQRA) AND THE REGULATIONS PROMULGATED THEREUNDER AND NOT REQUIRING THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT IN CONNECTION WITH THE AMENDMENTS OF THE PARK SOUTH URBAN RENEWAL PLAN AND THE PLANNED DEVELOPMENT OVERLAY DISTRICT (PSPDOD)**

WHEREAS, on January 19, 2006, the Common Council of the City of Albany adopted a resolution determining to be the Lead Agency for purposes of conducting the environmental review of the Park South Urban Renewal Plan (“URP”), and pursuant to SEQRA, conducted a coordinated review of the proposed action; and

WHEREAS, the Park South Urban Renewal Area encompasses properties within ±26.5 acres of land generally bounded by Madison Avenue on the north, Robin Street on the west, Myrtle Avenue on the south and Lark Street on the east; including interior streets New Scotland Avenue, Knox Street, Dana Avenue and Morris Street, comprising nine City blocks; and

WHEREAS, at that time, the Common Council determined that the URP may have a potential significant effect on the environment, prepared a positive declaration to that effect and required preparation of a Draft Environmental Impact Statement; and

WHEREAS, in July, 2006, after conducting a public hearing to consider the DEIS, and expiration of the public comment period, the Common Council adopted a Final Environmental Impact Statement (“FEIS”) pursuant to SEQRA which addressed the substantive comments received concerning the URP and DEIS; and

WHEREAS, on July, 2006, the Common Council concluded the SEQRA environmental review as lead agency for the URP by adopting a SEQRA Findings Statement in accordance with SEQRA; and

WHEREAS, since the adoption of the URP, several development projects have been constructed pursuant to the URP; and

WHEREAS, in August, 2013, within a two block area of the urban renewal area bounded by New Scotland Avenue, Myrtle Avenue, Robin Street and Dana Avenue, the Common Council began consideration of certain amendments to the PSURP involving: 1) the increase in the height of the buildings proposed under the URP along New Scotland Avenue from 4 stories to 6 stories; 2) increase in number of apartment units over 10% of total set forth in the URP; and 3) the construction of a parking structure in the approximate area of 405 Myrtle Avenue (the “Amendments”); and

WHEREAS, an expanded Full Environmental Assessment Form (“FEAF”), was prepared and other relevant information was provided and submitted to the Common Council to examine the Urban Renewal Plan, as proposed to be revised; and

WHEREAS, the information provided allowed the lead agency and the public to examine the proposed amendments and any associated potentially significant adverse environmental impacts therewith; and

WHEREAS, the supplemental environmental information addresses all potential significant adverse environmental impacts associated with the amendments, including the potential impacts to the URP, that were not considered during the original SEQRA environmental review of the URP and which updates the impacts considered in the FEIS for the URP; and

WHEREAS, the Common Council reviewed the FEAF and supplemental materials, identified the proposed action as “Type 1” under SEQRA and determined to conduct a coordinated review among all involved agencies; and

WHEREAS, the Common Council declared that it should continue as Lead Agency at a public meeting held on September 3, 2013, circulated its notice of intent to all involved and interested agencies and conducted a review of the amendments to the URP and the Park South Planned Development Overlay District (“PSPDOD”) in accord with SEQRA; and

WHEREAS, based on the information provided in the FEAF, presentation to the Common Council at two public hearings, additional materials and further discussions, it was apparent that the amendments propose changes to the two block area consisting of: 1) the addition of ±30,000 square feet of office space, 2) a larger parking structure footprint impacting one property previously identified for potential rehabilitation; and additional residential dwelling units totaling more than 10% of the overall total of residences and, therefore, the SEQRA environmental review should be supplemented with a complete and up-dated analysis of any potential significant adverse environmental impacts to be evaluated by the Common Council; and

WHEREAS, on October 7, 2013, the Common Council conducted a public hearing to consider the amendments to the URP and the PSPDOD and allowed all persons who desired to speak and/or present written comments to do so; and

WHEREAS, as detailed in the presentation and Expanded FEAF, the proposed changes to the URP include, among other things, retaining the residential, retail and office mixed-use concept as originally proposed in the URP; and

WHEREAS, to provide the Lead Agency with a comprehensive evaluation of the potential significant adverse environmental impacts of the URP as proposed to be amended, the Common Council evaluated detailed Responses to Comments, dated November 5, 2013; and

WHEREAS, the Responses to Comments responded to all substantive oral and written comments received by both the Common Council and the City of Albany Planning Board on topics including but not limited to traffic, public safety, cultural resources, quality of life/community character, stormwater and housing; and

WHEREAS, the Responses to Comments included additional revisions to the proposed Amendments and additional reports relating to such topics; and

- CME Traffic Study (*concluding no adverse impact with implementation of certain traffic improvements*)
- Revised Development Plan and Engineering Plans (*detailing the additional revisions*)
- CDTA Letter (*supporting the amendments and transit improvements*)
- CDTA Data on Bus Ridership for Park South Area
- OPRHP Letter (*determining 405 Myrtle Avenue is not a structure eligible for listing on the national or state registers*)
- Louis Berger Group, Inc. Resource Evaluation (*regarding two structures noted by OPRHP as eligible for listing on the national or state register*)
- Breakdown of Potential New Owners of Quintessence

- Parking ratios for similar medical office buildings
- Shade Study including revised parking structure
- Camoin Associates Economic Impact Study
- Development Cost Projections
- Visual Renderings
- Update of Residential Market Potential for the Downtown Albany Study Area

WHEREAS, the additional revisions include:

- The footprint of the parking structure was reduced providing greater setbacks from Robin Street and Myrtle Avenue;
- Reduction of levels to the parking structure;
- Reduction in number of parking spaces within the parking structure;
- The exit from the parking structure was relocated to Myrtle Avenue;
- Addition of 12 residential units along Robin Street;

WHEREAS, the Common Council conducted a public hearing to consider the URP, as proposed to be amended, the including these additional revisions to the Amendments and the PSPDOD and closed the public hearing; and

WHEREAS, the City of Albany Planning Board adopted a recommendation/report, pursuant to General Municipal Law 505; and

WHEREAS, on December 2, 2013, the Common Council conducted an additional public hearing to consider the report adopted by the Albany Planning Board regarding the amendments to the URP and the PSPDOD and allowed all persons who desired to speak and/or present written comments to do so; and

WHEREAS, pursuant to SEQRA, the Common Council, with input from several City Departments and involved and interested agencies, has reviewed and considered all comments on the Expanded EAF, reports, studies, plans, renderings, elevations and responses to comments and the amendments to the URP; and

WHEREAS, as a result of its careful review and examination, the Common Council finds that, on balance, and after careful consideration of all relevant documentation and comments, it has more than adequate information to evaluate all of the relevant potential significant adverse environmental impacts of the amendments to the URP; and

WHEREAS, the Common Council has considered the completed Parts 2 and 3 of the completed FEAF and finds that they are accurate; and

WHEREAS, the Common Council considered supplemental environmental information that addresses any significant adverse environmental impacts associated with the amendments to the URP that were not considered during the SEQRA environmental review of the URP or not adequately addressed and which updates the impacts considered in the FEIS for the URP; and

WHEREAS, the record demonstrates that the URP as proposed to be amended will not have any significant adverse environmental impacts and that a Negative Declaration of Environmental Significance should be issued in accord with 6 NYCRR 617.7 (a) (2) and the original findings statement be amended or supplemented accordingly.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany, after due deliberation, finds and determines that:

1. The proposed action constitutes a Type 1 action pursuant to SEQRA; and
2. The completed Parts 2 and 3 of the FEAF are hereby adopted; and
3. The URP as proposed to be amended will not have potentially significant adverse environmental impacts and does not require the preparation of an Environmental Impact Statement; and
4. A Negative Declaration of Environmental Significance/amended findings statement in accord with 6 NYCRR 617.7(a)(2) be and hereby is hereby adopted as attached hereto.

BE IT FURTHER RESOLVED, that that City Clerk is hereby directed to file, distribute and publish the Negative Declaration of Environmental Significance/amended findings statement as required by law.

RESOLVED, that this resolution shall take effect immediately.

*\*Note: Council Members Conti, Golby, O'Brien, Commisso, Konev and President McLaughlin spoke on this resolution prior to passage.*

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Herring, Igoe, Konev, Rosenzweig and Sano.

Negative – Golby, O'Brien and Smith

**Affirmative 10 Negative 3 Abstain 0**

*Resolution Number was co-sponsored by Council Members Bailey and Konev.*

**President Pro Tempore Conti introduced RESOLUTION NUMBER 113.122.13R, asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL PURSUANT TO GENERAL MUNICIPAL LAW § 505 APPROVING AMENDMENTS TO THE PARK SOUTH URBAN RENEWAL PLAN**

WHEREAS, pursuant to Article 15 of the General Municipal Law (§505), the governing body of the locality shall upon approving an urban renewal plan by resolution make the following findings: 1) the area is a substandard or unsanitary area, or is in danger of becoming a substandard of unsanitary area and tends to impair or arrest the sound growth and development of the municipality; 2) the financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the plan; 3) the plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program; 4) the plan conforms to a comprehensive community plan for the development of the municipality as a whole; and 5) the plan provides a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings, which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public

utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals and reasonably accessible to their places of employment; and

WHEREAS, on July 16, 2006, the Common Council adopted the Park South Urban Renewal Plan (“PSURP”) and made the above referenced findings; and

WHEREAS, in August, 2013, the Common Council began considering certain amendments to the PSURP involving the construction of a parking structure in the approximate area of 405 Myrtle Avenue; construction of six story buildings between and including 11-41 New Scotland Avenue; and an increase in the number of dwelling units within the said two contiguous blocks within the urban renewal area bounded by New Scotland Avenue, Myrtle Avenue, Robin Street and Dana Avenue (the “Amendments”); and

WHEREAS, pursuant to General Municipal Law §505(2), on November 21, 2013, the City of Albany Planning Board provided a report to the Common Council certifying its qualified approval of the Amendments, subject to further review of the elevations for the parking structure and certified that the PSURP, as modified by the Amendments, conforms to the comprehensive community plan for the development of the City of Albany as a whole, and is consistent with local objectives; and

WHEREAS, the Common Council has duly considered the Planning Board’s report, recommendations and certification, and consistent with the recommendation further considered the elevations for the parking structure; and

WHEREAS, the Common Council has conducted two public hearings to consider the proposed amendments to the PSURP in compliance with the statute; and

WHEREAS, the PSURP, as proposed to be amended, has been considered at numerous committee meetings of the Common Council Park South Ad Hoc Committee wherein additional public input and advice was obtained.

NOW, THEREFORE, BE IT RESOLVED, by the City of Albany Common Council that pursuant to Article 15 of the General Municipal Law (§505), the Common Council makes the following findings with regard to the Park South Urban Renewal Plan, including the identified Amendments:

1. The area is a substandard or unsanitary area, or is in danger of becoming a substandard or unsanitary area and tends to impair or arrest the sound growth and development of the municipality.
2. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the plan.
3. The plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City of Albany as a whole, for the undertaking of an urban renewal program.
4. The plan conforms to the comprehensive community plan for the development of the City of Albany as a whole.
5. There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe, and sanitary dwellings which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities, and public and commercial facilities, at rents and prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

6. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest, and will not cause any additional or increased hardship to the residents of such designated area.

RESOLVED, that this resolution shall take effect immediately.

*\*Note: President Pro Tempore Conti spoke on this resolution prior to passage.*

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Herring, Igoe, Konev, O’Brien, Rosenzweig and Sano.

Negative – Golby and Smith

Present – O’Brien

**Affirmative 10 Negative 2 Abstain 0 Present 1**

### **CONSIDERATION OF ORDINANCES**

**President Pro Tempore Conti moved to amend Ordinance Number 44.91.13 and as amended asked for roll call vote thereon:**

#### **AN ORDINANCE AMENDING THE PARK SOUTH URBAN RENEWAL PLAN AND PLANNED DEVELOPMENT OVERLAY DISTRICT (PSPDOD) OF CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY**

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

Section 1. Substantive changes to the Park South Urban Renewal Plan and Planned Development Overlay District (PSPDOD) require the approval of the Common Council. It is hereby determined that the Urban Renewal Plan and PSPDOD shall be amended to reflect the best interest of the Park South neighborhood and the current planning initiatives for the two contiguous blocks bounded by New Scotland Avenue, Myrtle Avenue, Robin Street and Dana Avenue. The Urban Renewal Plan and PSPDOD is hereby amended to permit: the construction of a parking structure in the approximate area of 405 Myrtle Avenue; construction of six story buildings between and including 11-41 New Scotland Avenue; and an increase in the number of dwelling units within the said two contiguous blocks, as depicted on the map entitled “Revised Ground Level Site Plan”, prepared by HCP Architects, LLP, revising Map A-ix of the Urban Renewal Plan and Chapter 375 of the City Code.

Section 2. The Park South Urban Renewal Plan as it exists in on Map A-ix of Chapter 375 for the two contiguous blocks bounded by New Scotland Avenue, Myrtle Avenue, Robin Street and Dana Avenue shall be amended to be consistent with the aforementioned “Revised Ground Level Site Plan” and the text of the Park South Urban Renewal Plan shall be amended as set forth in the attached entitled “Amended Schedule 1”. Applicable design standards for the project as referenced in the amended Park South Urban Renewal Plan shall continue.

**Section 3. This ordinance shall take effect immediately.**

*\*Note: Council Members Conti, Calsolaro, Sano, Golby and President McLaughlin spoke on this ordinance prior to passage.*

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

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Herring, Igoe, Konev, O’Brien, Rosenzweig and Sano

Negative – Golby and Smith

Present – O’Brien

**Affirmative 10 Negative 2 Abstain 0 Present 1**

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

### **CONSIDERATION OF RESOLUTIONS**

**President Pro Tempore Conti asked and received majority consent to add Resolution Numbers 114.122.13R (MC) – 118.122.13R (MC) to the pending agenda, which was approved by unanimous voice vote.**

**At the request of President McLaughlin, Council Member Smith introduced RESOLUTION NUMBER 114.122.13R (MC), asked for passage and a roll call vote thereon:**

#### **RESOLUTION OF THE COMMON COUNCIL HONORING THE LIFE OF NELSON MANDELA AND COMMEMORATING THE COMMITMENT OF ALBANY RESIDENTS WHO CHALLENGED SOUTH AFRICAN APARTHEID**

WHEREAS, the visionary, Nelson Mandela, peerless leader in the struggle to end apartheid and first Black President of a democratic South Africa passed away at the age of ninety-five on Thursday, December 5, 2013; and

WHEREAS, Nelson Mandela was a political prisoner for twenty-seven years because of his leadership in the African National Congress and his unswerving commitment to the struggle to free South Africa; and

WHEREAS, Nelson Mandela was released from prison in 1991, the result of decades of national and international organizing and in 1994 when he became President of his country he led the unprecedented “Truth and Reconciliation” process which demonstrated the highest levels of integrity and humanity in the face of the atrocities that had been perpetrated by the white supremacist apartheid regime; and

WHEREAS, Albany had a significant historic role in the fight to end apartheid when in 1981 Albany became the only city in the United States that did not honor the sports and entertainment boycott against South Africa and allowed the South African Springbok rugby team to play a match on September 22, 1981 against the Eastern Rugby Union Colonials at Bleecker Stadium; and

WHEREAS, local residents spearheaded by the NAACP organized in the months preceding the September match to maintain the boycott and to prevent the game from occurring which led to the founding of the Capital District Coalition Against Apartheid; and

WHEREAS, the organizing spread all over the city bringing together groups that stood for human rights, neighborhood organizations, churches, labor unions, and people from all walks of life, creating a huge and unparalleled coalition; and

WHEREAS, the summer of 1981 was a time of citywide education about South Africa and the apartheid regime, which at the time most people in this country had little knowledge of, and

WHEREAS, the campaign to stop the Springboks was seen as so significant that major anti-apartheid organizations including the African Nation Congress and the South West Africa People's Organization sent speakers to Albany; and

WHEREAS, many people who urged the city of Albany to honor the boycott came to speak to the Common Council and Common Council member Nebraska Brace strongly and consistently supported the community's efforts to expose the crimes of apartheid; and

WHEREAS, despite the fact that the Springbok team was allowed to play in Albany, this city's organizing brought national and international attention to the movement to topple apartheid; and

WHEREAS, the Capital District Coalition Against Apartheid, a year after its founding, became the Capital District Coalition Against Apartheid and Racism, thereby making the link between apartheid and racial injustice in the United States and CDCAAR steadfastly continued to organize for fifteen years, from 1981 until 1994 when South Africa held its first democratic election and Nelson Mandela became President.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Albany joins people all over the world in honoring Nelson Mandela as an avatar of justice and also honors the local residents who were likewise committed to justice and helped to bring freedom and democracy to South Africa.

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

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

**Affirmative 13    Negative 0    Abstain 0**

*Resolution Number 114.122.13R (MC) was co-sponsored by Council members Bailey, Calsolaro, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig and Sano.*

**Council Member Konev introduced RESOLUTION NUMBER 115.122.13R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF AN AGREEMENT UNDER THE GREEN INNOVATION GRANTS PROGRAM**

WHEREAS, the City of Albany, through the Department of Development & Planning, applied to the New York State Environmental Facilities Corporation (EFC) and was awarded funding under the Green Innovation Grants Program (GIGP) for a grant in an amount up to \$1,795,000 to aid in the design, engineering and reconstruction of a portion of Quail Street in the City of Albany; and

WHEREAS, the Department of General Services was authorized under Resolution 20.41.13R to enter into a contract under the NYS Environmental Facilities Corporation's GIGP on behalf of the City of Albany; and

WHEREAS, it is desired that the Department of Development & Planning be authorized to enter into the contract on behalf of the City of Albany in place of the Department of General Services.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of the Department of Development & Planning, or his designee, is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Albany's obligations under the GIGP Grant Agreement.

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

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**  
Affirmative –Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

**Affirmative 13    Negative 0    Abstain 0**

**Council Member Conti introduced RESOLUTION NUMBER 116.122.13R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL OUTLINING ITS ACTIONS AND EXPRESSING ITS FINDINGS, INTENT AND RECOMMENDATIONS WITH REGARD TO ADOPTION OF THE FISCAL YEAR 2014 CITY OF ALBANY BUDGET AS PROPOSED IN ORDINANCE 50.101.13 (AS AMENDED) ENTITLED: "AN ORDINANCE ADOPTING THE BUDGET AS PRESENTED BY THE MAYOR ON OCTOBER 1, 2013, WITH AMENDMENTS, FOR FISCAL YEAR 2014" AND AS FURTHER AMENDED BY ORDINANCE 57.121.13 ENTITLED: "AN ORDINANCE AMENDING ORDINANCE 50.101.13 ENTITLED "AN ORDINANCE ADOPTING THE BUDGET AS PRESENTED BY THE MAYOR ON OCTOBER 1, 2013 FOR FISCAL YEAR 2014"**

WHEREAS on October 1, 2013 the Common Council received the proposed budget for the City of Albany for fiscal year 2014; and

WHEREAS subsequent to receipt of such budget, the Common Council engaged in an extensive review of the proposal which included meeting with department heads, holding two public hearings, discussion of the city's financial status and identification of budget priorities; and

WHEREAS as a result of this process the Council on November 19, 2013 adopted Ordinance Number 50.101.13 (as amended) which adopts the fiscal year 2014 City of Albany budget with revisions, and on December 2, 2013 adopted Ordinance 57.121.13 making additional amendments to such budget;

NOW, THEREFORE, BE IT RESOLVED that the Common Council does adopt the following statement outlining its actions and expressing its findings, intent and recommendations with regard to adoption of the fiscal year 2014 City of Albany budget; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Mayor, Deputy Mayor, Budget Director and all other department heads.

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

**The resolution passed by the following vote of all the Council Members elected voting in favor thereof:**  
Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith.

**Affirmative 13 Negative 0 Abstain 0**

**Council Member Commisso introduced RESOLUTION NUMBER 117.122.13R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION OF THE COMMON COUNCIL REQUESTING THAT THE CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY CONTINUE REVIEW OF TAX EXEMPTIONS GRANTED TO FURTHER THE INTERESTS OF THE CITY IN JOB CREATION AND DEVELOPMENT AND TO CONSIDER THE CITY OF ALBANY COMPREHENSIVE PLAN WHEN GRANTING APPLICATIONS**

WHEREAS, the City of Albany Industrial Development Agency is responsible for reviewing applications by developers and determining whether or not to enter into PILOT (payments in lieu of tax) agreements; and

WHEREAS, these agreements have a significant impact on the citizens of the City of Albany and the tax levies of affected taxing jurisdictions; and

WHEREAS, the IDA in its deliberations should consider the taxable status of facilities

**The resolution passed by the following vote of all Council Members elected voting in favor thereof:**  
Affirmative- Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith.

**Affirmative 13 Negative 0 Abstain 0**

*Resolution Number 117.122.13R (MC) was co-sponsored by Council Members Bailey, Calsolaro, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O’Brien, Rosenzweig, Sano and Smith.*

**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 adopted by unanimous voice vote:**

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2014, AND WAIVE THE READING OF THE NAMES:

1. Stephanie Garcia Pena, 6 Lodge Street 4<sup>th</sup> Floor, Albany, NY 12207  
Albany County Office of the District Attorney

President McLaughlin and President Pro-Tempore Conti recognize out going Council Members and presented them with an honorary plaque and recognized new Council Members coming in.

**Council Members Commisso introduced RESOLUTION NUMBER 118.122.13R (MC), asked for passage and a roll call vote thereon:**

**RESOLUTION HONORING THE LATE NICK COLUCCIO FOR HIS CONTRIBUTIONS TO THE CITIZENS OF THE CITY OF ALBANY**

WHEREAS, Nick Coluccio, a former member of the Albany Common Council, was taken from our midst on December 4, 2013; and

WHEREAS, Nick Coluccio was born in Reggio Calabria, Italy and immigrated to the United States; and

WHEREAS, he served the residents of Albany County for many years as the Superintendent of Buildings before his retirement in 2002; and

WHEREAS, Nick Coluccio was a dedicated and reliable member of the Albany Common Council for 24 years, representing the 15<sup>th</sup> Ward. He was also a Democratic Committeeman and was elected as President Pro-Tempore by his fellow Council Members in 1998; and

WHEREAS, Nick Coluccio was a staunch advocate for his community, a devoted husband and father and the Common Council of the City of Albany wishes to show its appreciation for his many years of community service to the City of Albany and extend its condolences to Mr. Coluccio's family.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council expresses its deepest regret upon the death of Nick Coluccio, and offers its sincere sympathy to the members of his bereaved family, and

BE IT FURTHER RESOLVED, that a copy of this resolution, appropriately inscribed, be delivered to the family of the late Nick Coluccio.

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

Affirmative- Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

**Affirmative 13    Negative 0    Abstain 0**

*Resolution Number 118.122.13R (MC) was co-sponsored by Council Members Bailey, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano and Smith.*

**ADJOURNMENT**

President Pro Tempore Conti made a motion to adjourn. President McLaughlin, hearing no objections, stated that the meeting was adjourned.

A true record of the Common Council Minutes of December 16<sup>th</sup>, 2013.

CASHAWNA PARKER  
SENIOR LEGISLATIVE AIDE TO THE  
ALBANY COMMON COUNCIL