



ALBANY COMMON COUNCIL
PLANNING, ECONOMIC DEVELOPMENT AND LAND USE COMMITTEE MINUTES
Alfredo Balarin, Chair

Meeting called by: Alfredo Balarin, Chair | Date: July 9, 2025 | Time: 5:15 pm

Balarin, Chair | Adams | Clarke | Hoey | Zamer

Council Members Present: Conti

City Personnel Present: Shaniqua Jackson (City Clerk), Bryan Jimenez (Legislative Director), Carly Johnson (Junior Legislative Aide); Robert Magee (Corporation Counsel), Sean Palladino (Albany Parking Authority Director of Operations)

Minutes

Agenda Item(s):

- **Resolution 62.62.25R**
A RESOLUTION OF THE COMMON COUNCIL AUTHORIZING ALBANY PARKING AUTHORITY TO LEASE A PORTION OF 45 LEARNED STREET FROM LEARNED STREET PROPERTIES, LLC
- **Ordinance 3.41.25**
AN ORDINANCE AMENDING PART 3 (CABARETS) OF CHAPTER 111 (AMUSEMENTS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO UPDATING THE CITY'S ENTERTAINMENT LICENSING PROVISIONS

Public Comment:

- No public comment was heard.

Discussion:

- Committee Chair Alfredo Balarin invited Albany Parking Authority Executive Director Sean Palladino to discuss Resolution 62.62.25R.
 - Executive Director Palladino shared that his department has worked out the details to create a lease agreement with Learned Street Properties, LLC for \$2500 a month in exchange for 120 spaces, but ultimately needs the approval of the Council before further steps are taken.
 - Committee Member Thomas Hoey inquired about the length of the lease agreement, to which Executive Director Palladino responded that the lease would be for 1 year with the possibility for an extension.
 - Committee Member Hoey followed up, asking if Learned Street Properties, LLC could raise the prices, to which Executive Director Palladino replied yes, by 1.5-2%.
 - Committee Member Sergio Adams asked if the available parking would be accessible afterhours, to which Executive Director Palladino responded affirmatively.
 - Committee Member Deborah Zamer inquired whether the public would be able to pay for these spaces on the ParkAuthority App, to which Executive Director Palladino responded affirmatively.

- Committee Member Adams moved to pass Resolution 62.62.25R out of committee with a positive recommendation, seconded by Committee Member Hoey, and passed unanimously by voice vote.
- Council Member Richard Conti spoke on Ordinance 3.41.25.
 - Council Member Conti shared that there were requests for further amendments, due to the new proposal not including all recommendations previously discussed.
 - Corporation Counsel Robert Magee went over the changes in the most recent iteration of the Ordinance.
 - Committee Member Zamer asked which departments need to review the Cabaret License application within Ordinance 3.41.25, to which Corporation Counsel Magee responded the Albany Police Department (APD) and Buildings & Regulatory Compliance (BRC).
 - Council Member Conti wanted to clarify that 3 departments have been removed from the process, to which Corporation Counsel Magee responded affirmatively.
 - Committee Member Hoey asked for a revision to the proposed provisional approval process, sharing his concern that the automatic temporary removal leaves ambiguity. He shared his preference for a 45-day window for a permanent Cabaret License.
 - Committee Member Zamer asked both for clarification on Committee Member Hoey's request and on the current process. Corporation Counsel Magee shared that the current law requires a departmental response within 30 days, and if no one responds to the application, the applicant would automatically receive a temporary license. Corporation Counsel Magee discussed the possibility of issuing a permanent license if there was not a response within 30 days, noting pushback from the departments.
 - Committee Member Zamer inquired for City Clerk Shaniqua Jackson's input on the implications this process would have on her office, to which City Clerk Jackson responded that the continuous 30-day renewal would be strenuous. She agreed with Committee Member Hoey that an extension to 45 days would reduce stress on the City Clerk's office, and help keep businesses out of limbo.
 - Council Member Conti shared concerns on the extension to 45 days, asking for clarification. City Clerk Jackson discussed concerns for business owners. She also shared that APD is often the cause for delays in the Cabaret Licensing process.
 - Council Member Conti and Corporation Counsel Magee sought further clarification on the burden on the City Clerk's office to which City Clerk Jackson asked how a business would know they had a license if she did not provide one.
 - Corporation Counsel Magee clarified that with how the current law is, if the application has not been accepted due to it being incomplete, within the 30 days, the business would nonetheless be granted a temporary license.
 - Council Member Conti clarified that for the temporary license, the Clerk's office only has to notify the applicant that they have a license. However permanent licenses require that the Clerk's office to wait for a review from APD and BRC.
 - Corporation Counsel Magee disused a hypothetical scenario wherein an applicant did not cooperate with the fire department, noting that they could take advantage of the temporary license process or their application could be denied.
 - Council Member Conti asked for Corporation Counsel Magee's recommendation for reflecting the aforementioned concerns in Ordinance 3.41.25. Corporation Counsel Magee referenced previous conversations he had with department heads in which they stressed the need for time to comply with safety precautions.
 - Council Member Conti asked if the Place of Assembly Certificate of Operation is renewed yearly. City Clerk Jackson responded that applicant provides the certificate with the application, and believes that it is done yearly. She notes that this is done separately from Cabaret
 - Committee Member Zamer sought clarification on there being a flexible timeline built in to the process for an applicant to rectify a temporary safety issue. She also asked if the license would be automatically approved if the process is drawn out.

- Corporation Counsel Magee responded that a department can deny an application, however that would restart the application process. He agreed that there could be an amendment stressing more flexibility to allow applicants to rectify administrative or safety issues instead of entirely restarting the licensing process.
- Committee Member Hoey expressed his belief that APD should be removed from reviewing the application, insisting that the process could rely further on BRC or the Fire Department.
- Chair Balarin clarified that a Cabaret License is separate from an Occupancy Permit and asked if it is a requirement to submit the permit with the application, to which City Clerk Jackson responded affirmatively.
- Chair Balarin sought a compromise, suggesting to Council Member Conti that the window to have the application approved would be 30 days; then if it was not yet approved, the business would receive a temporary 60-day license. This, he noted, could streamline the process and create a 90-day window before a permanent license would be issued.
- Council Member Conti clarified that APD checks if there has been any police activity on the premises prior to approval. He expressed his belief that they play an essential role.
- Committee Member Zamer inquired if the inspection requirements for Cabaret License were already covered in routine inspections, to which Corporation Counsel Magee responded that noncompliance may occur without BRC's awareness; therefore, it is not necessarily automatically taken care of via the permits attached to the application.
 - Committee Member Zamer noted that there should be a mechanism for egregious issues to be addressed. Corporation Counsel Magee shared his concern that without further inspection, the city would be held responsible should someone get hurt at an event.
- Committee Member Adams expressed confusion about framing Cabaret Licensing as a safety measure when permits addressing the issue are required for businesses to obtain. He wanted further clarification on the reason behind "Cabaret" being changed to "Accessory Entertainment" within Ordinance 3.41.25, to which Council Member Conti responded that Cabaret is a defined form of entertainment that predates the current process, and accessory entertainment helps to clarify what is covered. Corporation Counsel Magee clarified further that the new definition is clearer.
 - Committee Member Adams expressed concerns that the definition was unclear, business owners could get confused, and that this ambiguity may muddy the application process.
 - Corporation Counsel Magee clarified that Cabaret is an antiquated term, and that businesses with a Cabaret license would automatically receive an Accessory Entertainment license.
- Committee Member Adams asked for Section 7 of Ordinance 3.41.25 to be clarified.
 - Council Member Conti shared that the goal of including this section was to streamline the process, noting that this took less time to include compared to moving to a system with no license requirement. He hoped that the next Council would address Accessory Entertainment within the Unified Sustainable Development Ordinance (USDO) without the need for a licensure provision. He noted that Cabaret existed before rezoning, claiming that Cabaret and USDO must be addressed in tandem.
 - Committee Member Adams reiterated his desire to have Cabaret Licensing system repealed entirely.
- Chair Balarin noted that Committee Members would like to create a permanent process for temporary licensure. He asked for Corporation Counsel Magee receive feedback from departments so they may vote on Ordinance 3.41.25 in committee, sharing his desire to move on from the existing system.
 - Council Member Conti recommended voting today so that a public hearing and vote in Council could take place sooner. He noted that if there was pushback from departments, the committee could address that before the July 21 meeting.
- Committee Member Hoey expressed his enthusiasm for the compromise presented by Chair Balarin. He emphasized that as member of the Council, it is their duty to make laws for constituents. He agreed that it would be notable work for the Committee to change the USDO to comply with a repeal, but has hope that it could be accomplished before 4 years.

- Committee Member Zamer asked for clarification on the temporary licensing process timeline to which Chair Balarin explained that after 60 days of obtaining the temporary license, the application could still be denied.
- Committee Member Hoey moved to amend the language of Section 111-69(C) to amend Ordinance 3.41.25 so that departments have 30 days to comment on an application, and then a temporary permit would be issued for 60 days. Without objection from a department, after the full 90-day window, the permit would become permanent. Committee Member Zamer seconded, and the amendment was passed:
 - Affirmative: Balarin, Hoey, Zamer
 - Negative: Adams
- Committee Member Zamer moved to pass Ordinance 3.41.25 as amended out of committee with positive recommendation, to which Committee Member Hoey seconded, and to which passed:
 - Affirmative: Balarin, Hoey, Zamer
 - Negative: Adams

Adjourn:

Committee Member Hoey moved to adjourn, duly seconded by Committee Member Zamer. The Chair declared the meeting adjourned at 6:20 PM.

Link to meeting recording:

<https://www.youtube.com/watch?v=dd1nuZuTyVk&t=1102s>

Respectfully Submitted,
Carly Johnson
Junior Legislative Aide