

**Council Members Kimbrough and Farrell introduced the following, which was approved:**

**ORDINANCE 19.52.23**

**AN ORDINANCE AMENDING SECTION 42-228 (REGULAR MEETINGS; SCHEDULE) OF PART 21 (COMMON COUNCIL) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE AUTHORITY OF COMMON COUNCIL LEADERSHIP TO CHANGE OR CANCEL COUNCIL MEETINGS**

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

**Section 1.** Section 42-228 (Regular meetings; schedule) of Part 21 (Common Council) of Chapter 42 (Departments and Commissions) of Part I (Administrative Legislation) of the Code of the City of Albany is hereby amended to read as follows:

**§ 42-228 Regular meetings; schedule.**

The regular official meetings of the Council shall be held on the first and third Mondays of each month. The Common Council shall convene at 7:00 p.m. Regular meetings of the Common Council may be changed or cancelled by consent of the Council President, President Pro-Tempore and Majority Leader, when the regular meeting date falls on a holiday, religious or cultural observance, or when weather or other circumstances arise to warrant such change or cancellation. The public shall be notified of the new date as provided in the NYS Open Meetings Law.

**Section 2.** This ordinance shall take effect 30 days after enactment.

**APPROVED AS TO FORM THIS  
3<sup>RD</sup> DAY OF MAY, 2023**

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**Corporation Counsel**

**To:** Danielle Gillespie, City Clerk  
**From:** Brett Williams, Esq., Sr. Asst. Corporation Counsel  
**Re:** Common Council Legislation  
Supporting Memorandum  
**Date:** May 3, 2023  
**Sponsor:** Council Members Kimbrough and Farrell

**ORDINANCE 19.52.23**

**TITLE**

AN ORDINANCE AMENDING SECTION 42-228 (REGULAR MEETINGS; SCHEDULE) OF PART 21 (COMMON COUNCIL) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE AUTHORITY OF COMMON COUNCIL LEADERSHIP TO CHANGE OR CANCEL COUNCIL MEETINGS

**GENERAL PURPOSE OF LEGISLATION**

As the law is currently written, the Common Council must meet *every* first and third Monday of *every* month. The Council's ability, acting through leadership, to alter this schedule is very limited: meetings may *only* be changed if the first or third Monday of the month would fall on a holiday, cultural, or religious observance. There is no ability to change a meeting for any other cause, e.g. inclement weather, and there is no ability to cancel a meeting outright.

This ordinance expands the Council's ability to control its own schedule to suit the varying circumstances that may arise throughout the year.

**NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW**

Under existing law, the Council may only change a meeting from the first or third Monday of the month if the Council President, President Pro Tempore, and Majority Leader all agree, and then only if the regularly scheduled "meeting date falls on a holiday, religious or cultural observance."

This ordinance gives those three officials the ability to change meetings, and to cancel them, due to weather or any other circumstances that may warrant such change or cancellation.

**FISCAL IMPACT(S)**

None.

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

*Ordinance 19.52.23 was co-sponsored by Council Member Hoey*

Affirmative – Adams, Anane, Clarke, Farrell, Flynn, Frederick, Hoey, Johnson, Kimbrough, Love,  
Robinson, Romero, and Zamer

Negative –

Abstain –

Affirmative: 13    Negative: 0    Abstain: 0

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Clerk of the Common Council

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President of the Common Council

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

I, Danielle Gillespie, City Clerk and Clerk of the Common Council, do hereby certify that Ordinance 19.52.23 was passed at a meeting of the Albany Common Council on June 22, 2023.

In affirmation thereof, I hereto set my hand and affix The Seal of the City of Albany this 11th day of April, 2024.

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Danielle Gillespie, Clerk of the Common Council