

County of Albany

112 State Street
Albany, NY 12207



Meeting Agenda

Thursday, June 25, 2020

5:30 PM

**Held Remotely
Room 730**

Audit and Finance Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. AMENDING RESOLUTION NO. 512 FOR 2017 REGARDING THE PROJECT LABOR AGREEMENT FOR THE ALBANY COUNTY NURSING HOME PROJECT

CURRENT BUSINESS:

3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "D" FOR 2020
4. AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES
5. LOCAL LAW NO "D" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW 3 FOR 2010 AND AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LEASE AGREEMENT OF PROPERTY OWNED BY ALBANY COUNTY WITH THE SHAKER HERITAGE SOCIETY NOT TO EXCEED FIFTY YEARS, SUBJECT TO THE APPROVAL OF THE ALBANY COUNTY LEGISLATURE
6. AMENDING THE 2020 DEPARTMENT OF AUDIT AND CONTROL BUDGET: ADMINISTRATIVE ADJUSTMENTS
7. AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT SHAKER PLACE REHABILITATION AND NURSING CENTER
8. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS REGARDING THE COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM
9. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2020 ALBANY COUNTY BUDGET

10. AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2019 THROUGH MARCH 31, 2020
11. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 251 FOR 2019, AS AMENDED, AND AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 182 BREVATOR STREET (TAX MAP NO. 53.82-1-9) IN THE CITY OF ALBANY
12. AMENDING RESOLUTION NO. 507 FOR 2017 REGARDING THE CONVEYANCE OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION
13. AMENDING RESOLUTION NO. 271 FOR 2018 REGARDING THE CONVEYANCE OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION
14. AMENDING RESOLUTION NO. 389 FOR 2019 REGARDING THE CONVEYANCE OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION
15. AMENDING RESOLUTION NO. 69 FOR 2020 REGARDING THE CONVEYANCE OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

County of Albany

*112 State Street
Albany, NY 12207*



Meeting Minutes

Thursday, May 28, 2020

6:30 PM

Held Remotely

Audit and Finance Committee

CURRENT BUSINESS:

Present: Legislator Wanda F. Willingham, Legislator Matthew T. Peter, William M. Clay, Raymond F. Joyce, David B. Mayo, Joseph E. O'Brien, Lynne Lekakis, Mark E. Grimm and Paul J. Burgdorf

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

2. A RESOLUTION AMENDING RESOLUTION 283 FOR 1992, AS SUBSEQUENTLY AMENDED, TO RESTORE THE COMMITTEE TO FILL VACANCIES IN RESPONSE TO THE COVID-19 RELATED HEALTH EMERGENCY AND UNCERTAINTY IN THE BUDGETARY REALITIES CAUSED BY CURRENT THE GLOBAL PANDEMIC.

A motion was made that the Resolution be amended in the Fourth Resolved Clause to explicitly state the exempt elected positions. The motion carried by a unanimous vote.

A motion was made that the Resolution as amended be moved out with a positive recommendation. The motion carried by a unanimous vote.

3. AMENDING RESOLUTION NO. 35 FOR 2020 REGARDING THE ALBANY COUNTY STOP-DWI PLAN

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

4. AMENDING THE 2020 SHERIFF'S OFFICE BUDGET: CORONAVIRUS FUNDING

The Chair ruled this item out of order.

5. AMENDING THE 2020 ALBANY COUNTY BUDGET REGARDING MEDICAL ASSISTED TREATMENT SERVICES AT THE ALBANY COUNTY CORRECTIONAL FACILITY

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

A motion was made to take item #14 out of order. The motion carried by a unanimous vote.

14. AUTHORIZING THE APPROVAL OF A COURT ORDERED SETTLEMENT STIPULATION REGARDING REAL PROPERTY TAXES

A motion was made to enter into Executive Session to discuss the settlement. The motion carried by a unanimous vote.

A motion was made to end the Executive Session and return to regular order. The motion carried by a unanimous vote.

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

6. AMENDING RESOLUTION NO. 512 FOR 2017 REGARDING THE PROJECT LABOR AGREEMENT FOR THE ALBANY COUNTY NURSING HOME PROJECT

A motion was made that this RLA be tabled. The motion carried by the following vote:

Aye: Legislator Willingham, Legislator Peter, Legislator Clay, Legislator Joyce, Legislator Mayo, Legislator O'Brien and Legislator Lekakis

Nay: Legislator Grimm and Legislator Burgdorf

7. AMENDING RESOLUTION NO. 284 FOR 2019 REGARDING THE PURCHASE OF FURNITURE FOR THE SHAKER PLACE REHABILITATION AND NURSING CENTER

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

8. AUTHORIZING AN AGREEMENT WITH GUARDIAN CONSULTING SERVICES REGARDING PHARMACY CONSULTANT SERVICES AT THE SHAKER PLACE REHABILITATION AND NURSING CENTER

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

9. AUTHORIZING A LICENSE AGREEMENT WITH THE ALBANY COUNTY AIRPORT AUTHORITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING THE REMOVAL OF PROBLEMATIC VEGETATION

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

10. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE STATE HOMELAND

SECURITY AND LAW ENFORCEMENT TERRORISM PREVENTION PROGRAMS

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

11. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE TOWN OF GUILDERLAND - 225 BELL COURT

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

12. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE TOWN OF GUILDERLAND - 45 NORTH BRIDGE DRIVE

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.

13. AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE TOWN OF NEW SCOTLAND

A motion was made that the proposal be moved out with a positive recommendation. The motion carried by a unanimous vote.



Daniel P. McCoy
County Executive

Larry I. Slatky
Executive Director

April 1, 2020

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to extend the Greater Capital Region Building and Construction Trades Council Project Labor Agreement (PLA).

This agreement was created over two years ago with the anticipation that this project would be concluded by the Summer of 2020. Since the project will not end until the Fall, we are asking that the PLA agreement be extended through June 30, 2021 to ensure that it will be in place throughout the balance of the project.

We thank you for your consideration.

Sincerely,

Larry I. Slatky
Executive Director

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel





County of Albany

112 State Street
Albany, NY 12207

Legislation Text

File #: TMP-1629, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Greater Capital Region Building and Construction Trades Council (PLA)

Date: April 1, 2020
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-213-8940
Department Rep.
Attending Meeting: Larry I. Slatky

Purpose of Request:

- ☐ Adopting of Local Law
- ☒ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☒ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Greater Capital Region Building and Construction Trades Council

890 3rd Street

Albany, New York 12206

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: N/A

Scope of Services: Greater Capital Region Building and Construction Trades Council entered into a Project Labor Agreement (PLA) with Albany County Nursing Home, now Shaker Place Rehabilitation and Nursing Center. The scope of the agreement is outlined in the PLA. (see attachments)

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☒

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: N/A

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 1/1/2018 - 6/30/2021

Length of Contract: 42 months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 512

Date of Adoption: 12/4/2017

Justification: (state briefly why legislative action is requested)

Shaker Place Rehabilitation and Nursing Center is requesting an extension of our PLA by 12 months to ensure it is in place throughout the entire renovation and new construction project. I have attached the previous submission, cover letter, approvals and Resolution.

Slatky, Larry

From: Albany County Contract Management System <Sharepoint_admin@albanycounty.com>
Sent: Wednesday, April 1, 2020 12:01 AM
To: CMS_ExpirationDate; Slatky, Larry
Subject: Notice of Pending Expired Contract - 90 Days From Now

This is to notify you that a contract will expire 90 days from today.

Expiration Date: 6/30/2020 12:00:00 AM
Date Submitted: 12/18/2017 12:00:00 AM

Department: NH6020 - Nursing Home
Contact Person: ALBANYCOUNTY\lslatky
Contact Phone: (518) 869-2231

Contract Type: C) County Legislative Contracts
Vendor Name: Greater Capital Region Building and Construction Trades Council

Contract ID #: 3897

Scope of Service:
See PLA Article 3 for full scope of work

To view the contract click [here](#)



This email has been checked for viruses by AVG antivirus software.
www.avg.com



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES
ALBANY COUNTY NURSING HOME
ALBANY SHAKER ROAD
ALBANY, NEW YORK 12211-1089
PHONE: (518) 869-2231 FAX: (518) 869-1713
www.albanycounty.com

LARRY I. SLATKY
ACTING EXECUTIVE DIRECTOR
THOMAS COFFEY
ADMINISTRATOR

October 10, 2017

The Honorable Sean Ward
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Ward:

The Albany County Department of Residential Healthcare Facilities respectfully requests the approval of our Project Labor Agreement (PLA) with the Greater Capital Region Building and Construction Trades Council.

Through the evaluation by Seeler, it has been determined that entering into a PLA will save overall project cost. This agreement will also prevent favoritism, fraud and corruption, prevent the impact of delay, avoid labor unrest and gain measurable management flexibility and benefits.

There is no cost to this Project Labor Agreement.

We thank you for your consideration.

Sincerely,

Larry I. Slatky
Executive Director

cc: Frank Commisso, Majority Leader
Frank Mauriello, Minority Leader
F. Patrick Jeffers, Majority Counsel
Arnis Zilgme, Minority Counsel

FOR COUNSEL USE ONLY	

Date Received:	_____
Received by:	_____
Method: Hand:	_____
Courier:	_____
Mail:	_____

REQUEST FOR LEGISLATIVE ACTION*RLA #2551: Project Labor Agreement for Albany County Nursing Home***DATE:** Thursday, October 05, 2017**DEPARTMENT:** Nursing Home

Contact Person: Larry Slatky, Executive Director

Telephone: _____

Dept. Representative Attending
Committee Meeting:

Larry Slatky, Director

PURPOSE OF REQUEST:

Adopting of Local Law _____

Amendment of Prior Legislation _____

Approval/Adoption of Plan/Procedure _____

Bond Approval _____

Budget Amendment (see below) _____

Contract Authorization (see below) ☒

Environmental Impact _____

Home Rule Request _____

Property Conveyance _____

Other: (State briefly if not listed above) _____

CONCERNING BUDGET AMENDMENTS**STATE THE FOLLOWING:**

Increase Account/Line No. _____

Source of Funds: _____

Title Change: _____

CONCERNING CONTRACT AUTHORIZATION**STATE THE FOLLOWING:****TYPE OF CONTRACT:**

Change Order/Contract Amendment _____

Purchase (Equipment/Supplies) _____

Lease (Equipment/Supplies) _____

Requirements Professional Services ☒

Education/Training _____

Grant: _____

New _____

Renewal _____

Submission Deadline Date _____

Settlement of a Claim _____

Release of Liability _____

Other: (State briefly) _____

CONCERNING CONTRACT AUTHORIZATION (Cont'd)**STATE THE FOLLOWING:****Contract Terms/Conditions:**

Party (Name/Address)	Greater Capital Region Building and Construction Trades Council 890 3rd Street Albany, New York 12206
Amount/Raise Schedule/Fee	\$0.00
Scope of Services	This Agreement shall only apply to Project Work as defined in this Article.

Subject to the exclusions in this Article, Project Work means that work defined as the Albany County Residential Health Care Facility Renovations as delineated by construction contract documents, and includes (i) on-site work performed at the physical location where the final building or structure will remain; (ii) work performed for the Project at an off-site facility, preparation area, staging area, batch plant or assembly yard, regardless of location, provided that (a) the work performed at the off-site location is normally or customarily done at the project site; or (b) the off-site location is designed exclusively or nearly exclusively to serve the needs of the project, and the work performed at the off-site location is critical to the needs of the project.

(see PLA Article 3 for full scope of work)

Contract Funding:

Bond Res. No.: _____

Date of Adoption: _____

CONCERNING ALL REQUESTS:

Mandated Program/Service:	Yes
If Mandated Cite: Authority	New York State Department of Health
Anticipated in Current Adopted Budget	Yes

County Budget Accounts:

Revenue

Appropriation

Account Code	Line	Amount
NH6020	HNN	\$0.00

Fiscal Impact - Funding: (Dollars or Percentages)

Federal	0%
State	0%
County	100%
Local	0%

Term/Length of Funding:	36 Months (11/1/2017 - 10/31/2020)
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<u>Impact on Pending Litigation</u>	No
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If yes, please explain: _____

Previous Requests for Identical or Similar Action

Resolution/Law Number	_____
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Date of Adoption	_____
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Justification: (State briefly why legislative action is requested)

Albany County has carefully reviewed and considered Seeler's Report (see attachment) and will pass a

duly authorized resolution in November 2017, which finds, among other things, that County's interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, preventing the impact of delay, avoiding labor unrest, and gaining measurable management flexibility and benefits are best met by requiring a Project Labor Agreement and, therefore, directs that a Project Labor Agreement be made part of the Project; and

This Project Labor Agreement will foster the achievement of these goals, inter alia, by:

- (1) providing a mechanism for achieving the most cost efficient means of construction, including direct labor cost savings;
- (2) avoiding the costly delays of potential strikes, slowdowns, walkouts, picketing and other disruptions arising from work disputes and promoting labor harmony and peace for the duration of the Project;
- (3) standardizing the terms and conditions governing the employment of labor on the Project;
- (4) permitting wide flexibility in work scheduling and shift hours and times;
- (5) providing comprehensive and standardized mechanisms for the settlement of work disputes, including those relating to jurisdiction;
- (6) furthering public policy objectives as to improved employment opportunities for minorities, women and the economically disadvantaged in the construction industry; and
- (7) ensuring a reliable source of skilled and experienced labor and,

WHEREAS, the signatory Unions desire the stability, security and work opportunities afforded by a Project Labor Agreement; and

WHEREAS, the Parties desire to maximize Project safety conditions relating to the Project.

Back-up Material Submitted: (*i.e.*, application/approval notices from funding source, bid tabulation sheet, civil service approval notice, program announcement, contracts and/or any materials which explain or support the request for legislative action.)

[http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/Albany County Nursing Home Project Labor Agreement.pdf](http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/Albany%20County%20Nursing%20Home%20Project%20Labor%20Agreement.pdf)

[http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/RLA PLA Cvr Ltr 10-17.docx](http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/RLA%20PLA%20Cvr%20Ltr%2010-17.docx)

[http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/NYS Building and Construction Trades Council PLA Determination.pdf](http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/NYS%20Building%20and%20Construction%20Trades%20Council%20PLA%20Determination.pdf)

[http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/Seeler Residential Health Care Facility PLA Due Diligence Study Report 2017-10-05.pdf](http://acvsp2010/sites/CALM/Lists/RLA/Attachments/2551/Seeler%20Residential%20Health%20Care%20Facility%20PLA%20Due%20Diligence%20Study%20Report%202017-10-05.pdf)

Submitted by: Larry Slatky

Title: Director



**NEW YORK STATE
BUILDING AND CONSTRUCTION TRADES COUNCIL**
 AFFILIATED WITH BUILDING AND CONSTRUCTION TRADES DEPARTMENT AFL-CIO
 50 State Street, Third Floor, Albany, NY 12207 • Phone 518/435-9108 • Fax 518/435-9204

PLA Determination

PLA: Albany County Nursing Home

Submitted by: Jeff Stark, Greater Capital Region Building & Construction Trades Council

Date: October 10, 2017

Please be advised that the NYS Building & Construction Trades Council has reviewed the above-referenced Project Labor Agreement and has made the following determination:

- ☒ The PLA is APPROVED
- ☐ The PLA will be approved once the following changes are made:
- ☐ The PLA cannot be approved at this time. Please refer to concerns listed below:

Sincerely,

James W. Cahill
President

RESOLUTION NO. 512

AUTHORIZING A PROJECT LABOR AGREEMENT FOR THE ALBANY COUNTY NURSING HOME PROJECT

Introduced: 12/4/17

By Public Works Committee and Mr. Clenahan:

WHEREAS, The County Executive has submitted and recommended approval of a proposed Project Labor Agreement (the "PLA") for the Albany County Nursing Home Project (the "Project"), and

WHEREAS, A study by Seeler Engineering, P.C. undertook an analysis of project labor considerations relevant to the project and concluded that a PLA could be beneficial for the Project by creating uniformity in work rules and staffing requirements, uniformity in the settlement of any work disputes, a reliable source of skilled and experienced labor, and obtaining the best work at the lowest prices, and

WHEREAS, The PLA could provide cost savings through avoidance of costly delays associated with potential strikes, slow-downs, walk-outs or other labor disputes and a no strike provision increasing the likelihood of completing the project on a timely basis, flexibility in work hours rather than overtime, increased use of apprentices working at lower rates, the use of working foreman and supervisors, and

WHEREAS, A PLA for the Project would be in the public interest based on the unique features of the Project and as a means of obtaining the best work at the lowest possible price, and

WHEREAS, The proposed PLA requires the Unions to use their best efforts to recruit Albany County residents for the project and to recruit and refer minority and female applicants to its apprenticeship programs and establishes goals for Minority Business Participation (15%), Women Owned Business Participation (8%), Minority and Female Labor Participation (15%) for aggregate hours worked and each craft shall individual use its best efforts to achieve the goal, now, therefore be it

RESOLVED, That the Albany County Legislature finds that entering the proposed PLA for the Project is warranted by the unique features of the Project and is in the best interests of the public since it will facilitate the completion of the Project with as little delay, disruption and inconvenience as is possible and will result in significant savings of Project costs, and, be it further

RESOLVED, That the Albany County Executive is authorized to execute a Project Labor Agreement on behalf of Albany County for the Albany County Nursing Home Project, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed forward certified copies of this resolution to the appropriate County officials.

Adopted by unanimous vote. 12/4/17

IN WITNESS WHEREOF the parties have caused this Agreement to be executed and effective as of the 16 day of October, 2017

For: The Construction Manager

BY: _____
(Name/Title)

For: Greater Capital Region Building Trades

BY: _____
(Name/Title)

Approved National Building Trades October 5, 2017

Approved NYS B&CTC October 10, 2017

FOR THE LOCAL UNIONS

INTERNATIONAL ASSOCIATION OF BRICKLAYERS & MASONS, LOCAL NO.2

BY: _____
(Name/Title)

NORTHEAST REGIONAL COUNCIL OF CARPENTERS, LOCAL 291

BY: _____
(Name/Title)

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL NO. 236

BY: _____
(Name/Title)

INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS, LOCAL 35

BY: _____
(Name/Title)

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL
AND REINFORCING IRON WORKERS LOCAL NO. 12

BY: _____
(Name/Title)

LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL NO. 190

BY: [Signature]
(Name/Title)

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 158

BY: Michael Myers - District Manager
(Name/Title)

INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES, GLAZERS,
ARCHITECTURAL METAL AND GLASS WORKERS DISTRICT COUNCIL NO. 9

BY: [Signature]
(Name/Title)

UNITED ASSOCIATION OF JOURNEY AND APPRENTICES OF THE PLUMBING
AND PIPEFITTING INDUSTRY LOCAL NO. 7

BY: [Signature]
(Name/Title)

UNITED UNION OF ROOFERS, WATERPROOFERS AND ALLIED WORKERS
LOCAL NO. 241

BY: [Signature] Business Manager
(Name/Title)

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION LOCAL NO. 83

BY: Mark E. Landon Bus. Mgr. & President
(Name/Title)

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS,
WAREHOUSEMEN AND HELPERS LOCAL NO. 294

BY: [Signature]
(Name/Title)

INTERNATIONAL ASSOCIATION OF HEAT AND FROST INSULATORS AND
ALLIED WORKERS, LOCAL 40

BY: [Signature]
(Name/Title)

INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIPBUILDERS,
BLACKSMITHS, FORGERS AND HELPERS LOCAL 5

BY: [Signature] Assistant Business Manager
(Name/Title)

By [Signature] Business Agent
(Name/Title)
Sprinklerfitters Local 608

MILLWRIGHTS LOCAL UNION 1163

By [Signature] Regional Director
(Name/Title)

OPERATIVE PLASTERERS LOCAL 9 & CEMENT MASONS INTERNATIONAL
ASSOCIATION LOCAL 780

BY: [Signature] Business Manager
(Name/Title) Plasterers Local #9

RESOLUTION NO. 215

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “D” FOR 2020

Introduced: 6/8/20

By Mr. Bruschi:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “D” for 2020, “A Local Law of the County of Albany, New York, Authorizing the County Executive To Negotiate A Lease Agreement of Property Owned By Albany County With The Shaker Heritage Society, Subject To The Approval of the Albany County Legislature”, be held by the County Legislature in the Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, July 28, 2020, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

RESOLUTION NO. 216

AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

Introduced: 6/8/20
By Mr. Commisso:

WHEREAS, The ongoing coronavirus pandemic has greatly impacted the expected revenues for the 2020 Fiscal Year for the County of Albany, which are necessary in order to maintain the functions and services of government that many rely upon, and

WHEREAS, In an effort to reduce the budget deficit facing Albany County, this Honorable Body has proposed to offer a one-time amnesty period to provide taxpayers a brief 90 day period to clear past-due taxes at a lowered interest rate, and

WHEREAS, During the proposed amnesty period, intended to motivate payments, the interest rate on unpaid delinquent taxes will be reduced by half from 1% added per month to .5% added, and

WHEREAS, There is proposed a handling fee of \$100 per property for all properties in which more than \$1,000 is owed in taxes, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to implement a one-time amnesty period from August 1, 2020 to October 31, 2020 for the reduction of interest charged on delinquent property taxes, and, be it further

RESOLVED, That the County Attorney is authorized to approve as to form and content agreements and documents necessary for the implementation of the aforementioned amnesty program, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

LOCAL LAW NO. “D” FOR 2020

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW 3 FOR 2010 AND AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LEASE AGREEMENT OF PROPERTY OWNED BY ALBANY COUNTY WITH THE SHAKER HERITAGE SOCIETY NOT TO EXCEED FIFTY YEARS, SUBJECT TO THE APPROVAL OF THE ALBANY COUNTY LEGISLATURE

Introduced: 6/8/20

By Mr. Bruschi:

BE IT ENACTED by the County Legislature of the County of Albany, pursuant to Section 33 of the Municipal Home Rule Law, as follows:

SECTION 1. Repeal of Local Law 2 for 2010

Local Law 2 for 20110, “A Local Law of the County of Albany, New York Authorizing the County Executive to Negotiate a Lease Agreement of Property Owned by Albany County with the Shaker Heritage Society, Subject to the Approval of the Albany County Legislature” is repealed.

SECTION 2. Direct Lease

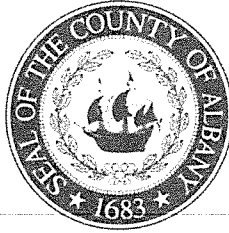
Notwithstanding Section 215 of the New York State County Law, the County Executive of Albany County is hereby authorized to negotiate lease agreements for real and personal property owned by Albany County with the Shaker Heritage Society for an original term not to exceed fifty (50) years, said lease term to be coterminous with any initial funding repayment term, subject to the approval by the Albany County Legislature.

SECTION 3. Severability

If any article, section, subsection, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. Effective Date

This Local Law is adopted subject to permissive referendum pursuant to Section 24 of the New York State Municipal Home Rule Law.



COUNTY OF ALBANY OFFICE OF THE COMPTROLLER
112 STATE STREET, ROOM 1030, ALBANY, NEW YORK 12207-2021
(518) 447-7130 | susan.rizzo@albanycountyny.gov

SUSAN A. RIZZO
COUNTY COMPTROLLER

June 3, 2020 (revised June 12, 2020)

Hon. Andrew Joyce
Chairman
Albany County Legislature
112 State Street – Suite 710
Albany, New York 12207

Dear Mr. Joyce,

The Department of Audit and Control is requesting an amendment to its 2020 Budget. The amendment, which addresses personnel services, totals \$ \$65,281.50 and is budget neutral.

This budget amendment adjusts salaries by eliminating and reducing salaries for some positions, increasing salaries commensurate with duties and adding a staff accountant.

This budget amendment will provide the department with appropriate staffing level salaries necessary to continue its operations at the highest level. Should you have any questions please contact me at (518) 447-7130.

Sincerely,

Susan A. Rizzo
County Comptroller

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Brandon Russell, Majority Counsel
Arnis Zilgme, Minority Counsel

REQUEST FOR LEGISLATIVE ACTION

The Department of Audit and Control – 2020 Budget Amendment

Date: 06/03/2020
 Submitted By: Susan A. Rizzo
 Department: Department of Audit and Control
 Title: County Comptroller
 Phone: (518) 447-7130
 Department Rep.
 Attending Meeting: Susan A. Rizzo

Purpose of Request:

- ☐ Adopting of Local Law
 - ☐ Amendment of Prior Legislation
 - ☐ Approval/Adoption of Plan/Procedure
 - ☐ Bond Approval
 - ☒ Budget Amendment
 - ☐ Contract Authorization
 - ☐ Countywide Services
 - ☐ Environmental Impact/SEQR
 - ☐ Home Rule Request
 - ☐ Property Conveyance
 - ☐ Other: (state if not listed) _____
-

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☒ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Please see attached

Source of Funds:

Title Change: _____

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.

Submission Date Deadline

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) _____

Contract Terms/Conditions:

Party (Name/address):

Additional Parties (Names/addresses):

Amount/Raise Schedule/Fee:

Scope of Services:

Bond Res. No.:

Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service:

Yes ☐ No ☒

If Mandated Cite Authority:

Is there a Fiscal Impact:

Yes ☒ No ☐

Anticipated in Current Budget:

Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line:

Revenue Amount:

Appropriation Account and Line:

Please see attached

Appropriation Amount:

Source of Funding – (Percentages)

Federal:

State:

County: 100%

Local:

Term

Term: (Start and end date)

Length of Contract:

Impact on Pending LitigationYes ☐ No ☒

If yes, explain:

Previous requests for Identical or Similar Action:

Resolution/Law Number:

Date of Adoption:

Justification: (state briefly why legislative action is requested)

The budget amendment is necessary to re-appropriate the staffing levels in the Department of Audit and Control. Eliminating and reducing salaries for some positions, increasing salaries commensurate with duties and adding a staff accountant. Daily accounting functions need to be monitored, including balance checking accounts, analyzing monthly financial reports, and provide legislative meeting updates.

2020 Budget Amendment

		Appropriations		YEARLY SALARY	ORIGINAL BUDGET	INCREASE	DECREASE	REVISED BUDGET	DEPARTMENT NAME
ACCOUNT NO.		RESOLUTION DESCRIPTION							
A1315	15511	001	190041	Technical Writer	\$ 58,256.00		\$ 30,219.31	\$ 28,036.69	Audit and Control
A1315	12523	001	190043	Auditor PT	\$ 23,051.00		\$ 12,544.08	\$ 10,506.92	Audit and Control
A1315	16401	001	190022	Confidential Secretary	\$ 67,374.00		\$ 436.11	\$ 66,937.89	Audit and Control
A1315	12521	001	190006	Auditor	\$ 44,164.00		\$ 22,082.00	\$ 22,082.00	Audit and Control
A1315	12515	001	190063	Senior Auditor	\$ 52,379.00	\$ 26,189.50		\$ 26,189.50	Audit and Control
A1315	12557	001	190047	Confidential Assistant Legislature	\$ 60,000.00	\$ 3,092.00		\$ 60,000.00	Audit and Control
A1315	12514	001	190060	Staff Accountant	\$ 72,000.00	\$ 36,000.00		\$ 36,000.00	Audit and Control
Total Appropriations					65,281.50		65,281.50		

ESTIMATED REVENUES

ACCOUNT NO.	RESOLUTION DESCRIPTION	ORIGINAL BUDGET	DECREASE	INCREASE	REVISED BUDGET	DEPARTMENT NAME
TOTAL ESTIMATED REVENUES						
			0.00		0.00	
GRAND TOTALS						
		65,281.50		65,281.50		



Daniel P. McCoy
County Executive

Larry I. Slatky
Executive Director

May 5, 2020

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to enter into an agreement with Horan, Martello, and Morrone, CPAs who will provide accounting services to the Finance Department and Executive Director. This accounting firm will continue to be responsible for the submission of our Medicare and Medicaid Cost Reports and the Certificate of Need process for Capital Reimbursement, and will work with government agencies to ensure that our daily Medicare and Medicaid rates are consistent with the services we are providing.

We respectfully request that we enter into an additional one (1) year agreement as per Resolution 283 for an amount not to exceed \$44,500.00.

We thank you in advance for your consideration.

Sincerely,

Larry I. Slatky
Executive Director

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel





County of Albany

112 State Street
Albany, NY 12207

Legislation Text

File #: TMP-1664, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Horan, Martello, and Morrone, CPA's to Provide Accounting Services

Date: May 5, 2020
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-213-8940
Department Rep.
Attending Meeting: Larry I. Slatky

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☒ Professional Services

☐ Education/Training

☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Horan, Martello and Marrone, CPA's

527 Townline Road

Suite 203

Hauppauge, New York 11788

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$44,500.00

Scope of Services: To provide accounting consultation services related to Medicare, Medicaid, Certificate of Need Process and Reimbursement. Will provide direct consultation/supervision to the finance department staff, including the filing of cost reports to Medicare and Medicaid and work with the NYSDOH on the nursing homes behalf on reimbursement issues, including but not limited to capital reimbursement.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐

If Mandated Cite Authority: CMS and NYSDOH

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: NH 6020 44069

Appropriation Amount: \$44,500.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100%

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 11/1/2020 - 10/31/2021

Length of Contract: 12 months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 283

Date of Adoption: 7/8/2019

Justification: (state briefly why legislative action is requested)

Horan, Martello and Marrone, CPA's will provide accounting services to ensure the proper completion of the Medicare and Medicaid Cost Reports that is mandated by the Centers for Medicare and Medicaid (CMS) and the New York State Department of Health (NYSDOH). In addition, they will assist our finance department in maintaining accurate records of expenses and revenue to ensure compliance with all regulatory agencies. We are requesting to exercise our right for on additional year of accounting services.



Albany County Contract Management System

This Site: Albany County Contr



Albany County Contract Management System > Request for Contract Approval > 4910

Request for Contract Approval : 4910

[New Item](#) | [Edit Item](#) | [Delete Item](#) | [Workflows](#) | [Alert Me](#)

Request ID #	4910
Department	NH6020 - Nursing Home
Contract Type	C) County Legislative Contracts
Contract Action	C) Renewal
Contract Action Type	N) None
Resolution #	19-283
Date Submitted	7/29/2019 12:00 AM
Expiration Date	10/31/2020 12:00 AM
Contact Person	Slatky, Larry
Contact Phone	518-869-2231
Contact Email	larry.slatky@albanycountyny.gov
Vendor Info	Name: Horan, Martello and Morrone, CPA's Address: 527 Townline Road, Suite 203, Hauppauge, New York 11788
Estimated Amount	44,500.00
Estimated Term	12 months
Scope of Service	To provide accounting consulting services related to Medicare, Medicaid and the Certificate of Need process. Will provide direct consultation to the finance department, including cost reporting and submissions and work with the NYSDOH on the nursing homes behalf on reimbursement issues.
Budget Line	NH6020
Point 2 or 4	4
Line Item	4,069.00
Budget Line	Account Code
Point 2 or 4	
Line Item	
Budget Line	Account Code

Point 2 or 4	
Line Item	
Budget Line	Account Code
Point 2 or 4	
Line Item	
Fiscal Impact - County	1.00
Fiscal Impact - State	0.00
Fiscal Impact - Federal	0.00
Revenue Code	Revenue Code
Revenue Line	
Capital Plan	Capital Plan:
Capital Plan - Line Item	
Revenue Code	Revenue Code
Revenue Line	
Capital Plan	Capital Plan:
Capital Plan - Line Item	
Revenue Code	Revenue Code
Revenue Line	
Capital Plan	Capital Plan:
Capital Plan - Line Item	
Revenue Code	Revenue Code
Revenue Line	
Capital Plan	Capital Plan:
Capital Plan - Line Item	
Anticipated in Current Budget	Yes
BID, RFP, RFQ Completed?	Yes - RFP
BID/RFP/RFQ #	2016-092R
Additional Comments	This renewal should be issued in the name of Shaker Place Rehabilitations and Nursing Center with HMM.
Attachments	HMM CPA's Contract Renewal.pdf HMM CPA's Resolution 283.pdf

DMB Section

DMB Approval	Yes
Reason for Disapproval	
Not to Exceed Amount	44,500.00
Date of Approval or Disapproval	8/2/2019 12:00 AM
If CAB contract, Date approved by CAB	
If Legislative contract, Date approved by Legislature	
Contract ID #	5,010

Law Section**Law receives request to prepare contract**

8/6/2019 12:00 AM

Law receives back-up documentation to prepare contract**Law sends draft of contract to Dept for review****Law sends final contract to department****Law sends signed contract to CEO to sign****Law sends signed contract to Comptrollers office and requesting department.****Completed Date**

Created at 7/29/2019 3:12 PM by Slatky, Larry

Last modified at 8/26/2019 9:38 AM by Cantwell, Sarah

AGREEMENT
 BETWEEN THE
 COUNTY OF ALBANY
 AND
 HMM, CPAs LLP
 FOR
 ACCOUNTING AND CONSULTING SERVICES FOR THE ALBANY COUNTY NURSING
 HOME

Resolution No. 283 of 2019

THIS AGREEMENT is made by and between the County of Albany, a municipal corporation, acting by and through its County Executive, with its principal office located at the Albany County Office Building, 112 State Street, Albany, New York 12207-2021 (hereinafter the "County"), and HMM, CPAs LLP, a New York corporation with a principal address of 527 Townline Road, Suite 203, Happaug, New York 11788 (hereinafter called the "Contractor." The Contractor and the County may be referred to collectively as the "[P]arties," or either individually as a "[P]arty."

WITNESSETH:

WHEREAS, the County is has a need for a qualified consultant to assist in accounting and financial services as the Albany County Nursing Home; and

WHEREAS, the Albany County Purchasing Division (hereinafter called "Purchasing Division") issued a Request for Proposal for Financial Consulting Service, said request having been designated RFP #2016-092R, issued on July 25, 2016 and published on July 28, 2016 (hereinafter called the "RFP"); and

WHEREAS, the Purchasing Division has also issued four(4) addendum to the RFB, (1) on August 8, 2016 (hereinafter called "Addendum #1"); (2) on August 5, 2016 (hereinafter called "Addendum #2"); (3) on August 10, 2016 (hereinafter called "Addendum #3"); and (4) on August 11, 2016 (hereinafter "Addendum #4"; and

WHEREAS, the Contractor has submitted a bid on August 2, 2016 to provide the aforesaid services; and

WHEREAS, the County has accepted the Bid of the Contractor to provide the aforesaid services on August 18, 2016; and

WHEREAS, the Albany County Legislature has authorized the County Executive to enter into a three year Agreement with two (2) optional, consecutive one year renewals via **Resolution No. 443 of 2016, adopted on October 13, 2016** (also referred to as Contract No. 3170 of 2016) , and

WHEREAS, the Albany County Legislature has authorized the County Executive to enter into the first of the two one year optional agreements with the Contractor via **Resolution No. 283 of 2019, adopted on July 8, 2019**, and

WHEREAS, in furtherance thereof, the parties hereto desire to formalized their understanding and agreement regarding the provision of the aforementioned services, and to execute a fully-integrated Agreement with respect thereto;

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY COVENANT AND AGREE AS FOLLOWS:

ARTICLE 1. THE CONTRACT DOCUMENTS; INTERPRETATION

1.1 The Contract Documents consist of the following: this Agreement, the RFP, which is incorporated by reference and made a part hereof; Addendum #1, which is incorporated by reference and made a part hereof, Addendum #2, which is incorporated by reference and made a part hereof, and Addendum #3, which is incorporated by reference and made a part hereof, Addendum #4, and the Proposal, which is incorporated herein and made a part hereof (collectively referred to as “the Agreement” hereinafter).

1.1. In the event of any discrepancy, disagreement or ambiguity among the Contract Documents, the documents shall be given preference in the following order to interpret and to resolve such discrepancy, disagreement or ambiguity: 1) this Agreement; 2) the RFP; 3) the Addenda, in reverse numerical order and d 3) the Proposal.

ARTICLE 2. SCOPE OF SERVICES

The Contractor will provide professional and consulting services for the Albany Count Nursing home as it relates to the RHCF-4 Medical Cost Report for the Department of Health and to assist in the preparation and filing of the Medicare Cost Report and Compilation Financial Statements. Services are expected to include, but are not limited to:

1. The Contractor shall be responsible for the preparation, certification and electronic filing (the facility needs to get the firm access to HPN) of the required RHCF-4 Medicaid Cost Report.
2. The Contractor shall assist in the preparation and filing of the Medicare Cost Report.
3. The Contractor shall compile financial statements on a monthly basis. Compilations will include Statement of Net Position, Statement of Revenues, Expenses, and Changes in Net Position and Notes to Financial Statements. On a quarterly basis, the firm will conference or meet with the Executive Director to discuss the financial statements.

4. The Contractor shall inform the Albany County Nursing Home of any regulation, reporting and/or rate changes, and preparation and filing of an appeal if such should be appealed.
5. The Contractor shall provide quarterly education training to the business office staff and other staff as necessary.
6. Issues Related to Cost Reporting--The Albany County Nursing Home will supply the firm with the following:
 - a. Year-end audited financial statement.
 - b. A trial balance in Excel Format.
 - c. Statistics and other information as requested.
 - d. Preparation of Part I of the RCHF-4 from admissions/discharges and patient days from the facility records.
 - e. PS&R.
7. Issues Relating to Compiling Financial Statements: The Albany County Nursing Home will electronically supply the firm with the following on a monthly basis:
 - a) Trial balance in Excel or similar format. Trial balance must include account numbers, account names/descriptions, debit and credit amounts and must balance.
 - b) Cumulative general ledger supporting the trial balance.
 - c) Bank reconciliations for all cash accounts. These must reconcile to the trial balance.
 - d) Accounts receivable ledger, detailed by resident, by payer, with totals. This must reconcile to the trial balance.
 - e) Accounts payable ledger, This must reconcile to the trial balance.
 - f) Detailed Sales journals (billed days, gross charges, contractual allowances, rates) Additional detail showing Medicare RUG days and rates must be provided.
 - g) Audited financial statement with supporting trial balance. A cross-walk from the trial balance to the financial should accompany this if available.

ARTICLE 3. COMPENSATION

3.1 In consideration of the terms and obligations of this Agreement, the County agrees to pay, and the Contractor agrees to accept, an amount not to exceed FORTY-FOUR THOUSAND, FIVE HUNDRED AND 00/100 (\$44,500.00) DOLLARS (U.S. CURRENCY).

3.2 The prices set forth in the Quote shall remain fixed for the entire term of this Agreement and any renewals.

3.3 The County is not subject to federal, state, or local taxes.

ARTICLE 4. PAYMENT

Payment shall be made to the Contractor by the County upon the Contractor's submission of a properly executed Albany County Claim Form, plus all supporting documentation, to the Albany County Department of General Services, and acceptance by the County of the Claim Form.

ARTICLE 5. TERM OF AGREEMENT

5.1 The Contract shall commence upon execution and continue for three (3) years from the execution of the contract.

5.2 At the end of this one (1) year term, upon mutual agreement of the Parties, the Agreement may be renewed for an additional one (1) year term.

ARTICLE 6. TERMINATION OF THE AGREEMENT; REMEDY FOR BREACH

6.1 This Agreement may be terminated by the County or the Contractor as follows:

6.1.1 The County may terminate this Agreement if the Contractor refuses or fails to supply enough properly skilled workers or proper materials to meet any of its requirements, if the Contractor fails to make payment to County-approved subcontractors for materials or labor, or disregards laws, ordinances or rules and regulations or orders of a public entity having jurisdiction over the work, or if the Contractor is substantially in breach of any of its provisions. Additionally, the County may, without cause, order the Contractor in writing, to suspend, delay or interrupt the work in whole or in part for such period of time as the County may determine.

6.1.2 The Contractor may terminate this Agreement if the County is substantially in breach of it.

6.2 In the event of a breach by the Contractor, the Contractor shall pay to the County all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the County to procure a substitute Contractor to satisfactorily complete the work, together with the County's own costs incurred in procuring a substitute Contractor.

ARTICLE 7. ASSIGNMENT

7.1 The Contractor specifically agrees as required by Section 109 of the N.Y. General Municipal Law that the Contractor is prohibited from assigning, transferring, conveying, subcontracting, or otherwise disposing of this Agreement, or of the Contractor's right, title, or interest therein, without the prior written consent of the County.

7.2 The Contractor shall not subcontract for any portion of the services required under this Agreement without the prior written approval of the County. Any such subcontractor shall be subject to the terms and conditions of this Agreement and any additional terms and conditions the County may deem necessary or appropriate.

ARTICLE 8. AVAILABLE DATA

All technical data relative to this Agreement in the possession of the County or in the possession of the Contractor shall be made available to the other party to this Agreement without expense to the other party.

ARTICLE 9. COOPERATION

The Contractor shall cooperate with representatives, agents and employees of the County and the County shall cooperate with representatives, agents and employees of the contractor to the end that work may proceed expeditiously and economically.

ARTICLE 10. NON-DISCRIMINATION

In accordance with Article 15 of N.Y. Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor agrees that neither it nor any of its County-approved subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics or marital status refuse to hire or employ or to bar or discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions, or privileges of employment.

ARTICLE 11 RELATIONSHIP

Contractor is, and will function as, an independent Contractor under the terms of this Agreement, and shall not be considered an agent or employee of the County for any purpose. The agents, representatives and employees of the Contractor shall not in any manner be, or be held out to be, the agents, representatives or employees of the County.

ARTICLE 12. INDEMNIFICATION

Contractor shall defend, indemnify, and save harmless the County, its agents representatives and employees, from and against any and all claims, damages, losses and expenses (including, but not limited to, reasonable attorney's fees) arising out of or in consequence of any

negligent or intentional act or omission of the Contractor, its agents or employees, to the extent of its or their responsibility for such claims, damages, losses or expenses.

ARTICLE 13. NON-APPROPRIATIONS

Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the County for payment under this Agreement. The County will immediately notify the Contractor of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the County of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.

ARTICLE 14. APPLICABLE LAW

The laws of the State of New York shall govern this Agreement. The designated venue is Albany, New York.

ARTICLE 15. RECORDS

15.1 The Contractor shall maintain complete and proper accounting records that shall clearly identify all costs associated with and revenue derived from the work performed under this Agreement. Such records shall be subject to periodic and final audit by the County upon request.

15.2 The Contractor shall provide the County and authorized State and/or Federal personnel access to any and all books, documents, records, charts, software, or any other information relevant to performance under this Agreement, immediately upon request.

15.3 The Contractor shall retain all of the above information for six (6) years after final payment or termination of this Agreement, and shall make such information available to the County and authorized State and/or Federal personnel during such period.

ARTICLE 16. INSURANCE

16.1 The Contractor shall procure and maintain for the entire term of this Agreement, without additional expense to the County, insurance policies of the kinds and in the amounts provided in Schedule A, attached hereto and made a part hereof. The insurance policies shall name the County as an additional insured. Such policies may only be changed upon thirty (30) days prior written approval by the County.

16.2 Contractor shall, prior to commencing any of the services outlined herein, furnish the County with Certificates of Insurance showing that the requirements of this article have been met. The Contractor shall also provide the County with updated Certificates of Insurance prior to the expiration of any previously-issued certificate(s). No work shall be commenced under this Agreement until the Contractor has delivered the Certificates of Insurance to the County. Upon

failure of the Contractor to furnish, deliver and maintain such insurance certificates as provided above, the County may declare this Agreement suspended, discontinued or terminated.

16.3 As required by Section 108 of the N.Y. General Municipal Law, this Agreement shall be of no force and effect unless the Contractor shall secure compensation for the benefit of, and keep insured during the life of this Agreement, all employees engaged thereon in compliance with the provisions of the N.Y. Workers' Compensation Law. The Contractor shall require any subcontractor authorized by the County to do likewise for all of their employees engaged thereon, all in compliance with the provisions of the N.Y. Workers' Compensation Law and of Schedule "A" of this Agreement.

ARTICLE 17. NO WAIVER OF PERFORMANCE

Failure of the County to insist upon strict and prompt performance of the provisions of this Agreement, or any of them, and the acceptance of such performance thereafter shall not constitute or be construed as a waiver or relinquishment of the County's right thereafter to enforce the same strictly according to the tenor thereof in the event of a continuous or subsequent default on the part of the Contractor.

ARTICLE 18. MODIFICATION

This Agreement may only be modified by a formal written amendment executed by the Parties.

ARTICLE 19. EXECUTION OF DOCUMENTS

This Agreement may be executed in one or more counterparts, each of which shall constitute an original Agreement, but all of which together shall constitute one and the same instrument.

ARTICLE 20. HEADINGS—CONSTRUCTION

The headings appearing in this Agreement are for the purpose of easy reference only and shall not be considered a part of this Agreement or in any way to modify, amend or affect the provisions hereof.

ARTICLE 21. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties and no representations or promises have been made except as herein expressly set forth.

ARTICLE 22. COMPLIANCE WITH MacBRIDE PRINCIPLES

Contractor hereby represents that it is in compliance with the MacBride Principles of Fair Employment as set forth in Albany County Local Law No. 3 for 1993, in that Contractor either (a) has no business operations in Northern Ireland or (b) shall take lawful steps in good faith to conduct

any business operations in Northern Ireland in accordance with the MacBride Principles, and shall permit independent monitoring of its compliance with such principles. In the event of a violation of this stipulation, the County reserves all rights to take remedial measures as authorized under § 4 of the said Local Law No. 3 for 1993 including, but not limited to, imposing sanctions, enforcing compliance, recovering damages, declaring the Contractor in default, and/or seeking debarment or suspension of the Contractor.

ARTICLE 23. NON-INTERRUPTION OF WORK

The Contractor agrees that it will not intentionally engage in any course of conduct or activity, or employ for the purposes of performing the public work, any subcontractors, employees, labor or materials which will or may result in the interruption of the performance of the public work due to labor strife or unrest by workmen employed by the Contractor or by any of the trades working in or about the public works and/or premises where the work is being performed.

ARTICLE 24. EXTRA WORK

If the Contractor is of the opinion that any work it has been directed to perform is beyond the scope of this Agreement and constitutes extra work, the Contractor shall promptly notify the County of that opinion. The County shall be the sole judge as to whether or not such work is in fact beyond the scope of this Agreement and whether or not it constitutes extra work. In the event the County determines such work does constitute extra work, it shall provide extra compensation to the Contractor on a negotiated basis.

ARTICLE 25 MISCELLANEOUS PROVISIONS

25.1 During the term of this Agreement, the Contractor agrees that, in the event of its reorganization or dissolution as a business entity or change in business, the Contractor shall give the County thirty (30) days written notice in advance of such an event.

25.2 The Contractor shall at all time obtain and maintain all licenses required by New York State, or other relevant regulating bodies, to perform the services required under this Agreement.

25.3 If any term, part, provision, section, subdivision of paragraph of this Agreement shall be held to be unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subdivisions, or paragraphs.

25.4 The County shall bear no responsibility other than that set forth in this Agreement.

25.5 All notices, consents, waivers, directions, requests, or other instruments or communications provided for under this agreement shall be deemed properly given if, and only if, delivered personally, sent by registered or certified United States mail, postage prepaid, or with the prior consent of the receiving party dispatched via facsimile transmission.

ARTICLE 26. HIPAA COMPLIANCE

The parties agree to comply with the HIPAA Compliance provisions, attached hereto as Schedule B and made a part hereof

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year written below.

COUNTY OF ALBANY

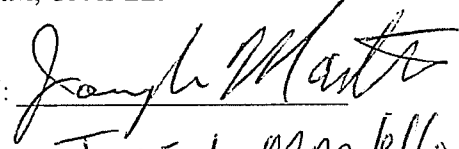
DATE: 4/26/19BY: 

Daniel P. McCoy
Albany County Executive

or

Phillip Calderone
Deputy County Executive

HMM, CPAs LLP

DATE: 11/14/2019BY: 

(Name & Title)

Joseph Marfello
President

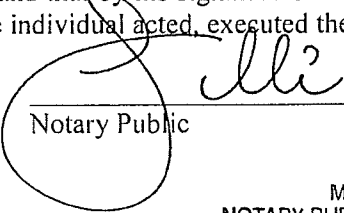
STATE OF NEW YORK)
County OF ALBANY SS:)

On the _____ day of _____, 2019, before me, the undersigned, personally appeared Daniel McCoy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
County OF ALBANY SS:)

On the 25 day of November, 2019, before me, the undersigned, personally appeared Phillip Calderone, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

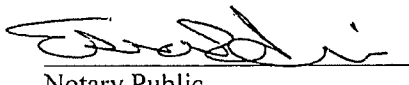


Notary Public

MICHAEL A. LALLI
NOTARY PUBLIC - STATE OF NEW YORK
No. 01LA6322012
Qualified in Albany County
My Commission Expires March 30, 2023

STATE OF NEW YORK)
County OF ~~ALBANY~~ Suffolk SS:)

On the 14 day of November, 2019, before me, the undersigned, personally appeared Joseph Martello, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

ESRA RABIA ARI
Notary Public - State of New York
No. 01AR6386208
Qualified in Suffolk County
My Commission Expires Jan. 22, 2023

SCHEDULE A

INSURANCE COVERAGE

Workers' Compensation and Employers' Liability Insurance: A policy or policies providing protection for employees in the event of job-related injuries.

Automobile Liability Insurance: A policy or policies with the limits of not less than \$500,000 combined for each accident because of bodily injury, sickness, or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance, or use of any automobile.

General Liability Insurance: A policy or policies of comprehensive all-risk insurance, including coverage for demolition of structures, with limits of not less than:

Liability For:	Combined Single Limit
Property Damage	\$1,000,000
Bodily Injury	\$1,000,000
Personal Injury	\$1,000,000

Professional Liability Insurance: A policy or policies of professional liability insurance with limits not less than \$1,000,000 per occurrence.

SCHEDULE B

OBLIGATIONS AND ACTIVITIES OF THE CONSULTANT AS A BUSINESS ASSOCIATE PURSUANT TO 45 CFR SECTION 164.504

The parties to the Agreement hereby agree to comply with the following provisions to ensure their compliance with the requirements of the Privacy Rule and the Health Insurance Portability and Accountability Act of 1996.

Pursuant to the terms of the Agreement, and in accordance with the requirements of 45 CFR Sections 160 and 164, the CONSULTANT/CONTRACTOR herein shall be considered a "Business Associate." The following terms are hereby incorporated in this AGREEMENT and shall be binding upon the parties hereto:

A. DEFINITIONS

1. "Business Associate" – under the terms of this Agreement, the term "Business Associate" shall mean the Consultant/Contractor: HMM CPAs LLP.
2. "Covered Entity" – for purposes of this Agreement, the term "Covered Entity" shall mean the County of Albany and/or the Albany County Health Department.
3. "Individual" – under the terms of this Agreement, the term "Individual" shall have the same meaning as the term "individual" in 45 CFR Section 160.103, and shall include a person who qualifies as a personal representative in accordance with 45 CFR Section 164.502(g).
4. "Privacy Rule" – shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 CFR Part 160 and Part 164, Subparts A and E.
5. "Protected Health Information" - shall have the same meaning as the term "protected health information" in 45 CFR Section 160.103, limited to the information created, received, maintained or transmitted by the Business Associate from or on behalf of the Covered Entity.
6. "Required by Law" – shall have the same meaning as the term "required by law" in 45 CFR Section 164.103.
7. "Secretary" – shall mean the Secretary of the Department of Health and Human Services or his/her Designee.
8. "Subcontractor" – shall have the same meaning as the term "subcontractor" in 45 CFR Section 160.103.

B. OBLIGATIONS AND ACTIVITIES OF THE BUSINESS ASSOCIATE

1. Pursuant to the terms of the Agreement, the Business Associate agrees to not use or disclose Protected Health Information other than as permitted or required by the Agreement, or as required by law.
2. The Business Associate agrees to use appropriate safeguards to prevent the use or disclosure of electronic Protected Health Information other than as provided for by this Agreement in accordance with the requirements of 45 CFR Section 164.314(a)(2)(i).
3. Pursuant to the terms of the Agreement and as more particularly described in the INDEMNIFICATION provisions of the Agreement, the Business Associate hereby agrees, and shall be required to mitigate, to the extent practicable, any harmful effect that is known to the Business Associate of a use or disclosure of Protected Health Information by the Business Associate which is in violation of the requirements of the Agreement.
4. The Business Associate shall immediately report to the Covered Entity any use or disclosure of unsecured Protected Health Information not provided for by the Agreement, of which it shall become aware in accordance with the provisions of 45 CFR Section 164.410.
5. The Business Associate agrees to ensure that any agent, including a subcontractor, that creates, receives, maintains or transmits Protected Health Information on behalf of the Business Associate agrees to the same restrictions and conditions that apply through this Agreement to the Business Associate with respect to such information pursuant to 45 CFR Section 164.502(e) (1) (ii) by entering into a contract or other arrangement in accordance with the requirements of 45 CFR Section 164.314.
6. Business Associate agrees to provide access, at the request of the Covered Entity, to Protected Health Information in a Designated Record Set, to the Covered Entity or as directed by the Covered Entity, to an Individual, in order to meet the requirements under 45 CFR Section 164.524.
7. Business Associate agrees to make any necessary amendments to Protected Health Information in a Designated Record Set that the Covered Entity directs or agrees pursuant to 45 CFR Section 164.526, at the request of Covered Entity or an Individual, in a timely manner.
8. Business Associate agrees to make its internal practices, books, and records, including policies and procedures relating to the use and disclosure of Protected Health Information received from, or created or received by the Business Associate on behalf of the Covered Entity, available to the Secretary for purposes of the Secretary determining the Covered Entity's compliance with the Privacy Rule.

9. Business Associate agrees to document such disclosures of Protected Health Information and information related to such disclosures as would be required for Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with the requirements of 45 CFR Section 164.528.
10. Business Associate agrees to provide to the Covered Entity or an Individual, upon request, information which may be collected by the Business Associate during the term of this Agreement, for purposes of permitting the Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information, in accordance with the provisions of 45 CFR Section 164.528.
11. To the extent that the Business Associate is to carry out an obligation of the Covered Entity as a term of this Agreement, Business Associate agrees to comply with the requirements of the Privacy Rule under 45 CFR Section 164.504 that apply to the Covered Entity in the performance of such obligation.

C. PERMITTED USES AND DISCLOSURE

1. General Uses and Disclosure - Except as otherwise limited in this Agreement, the Business Associate may use or disclose Protected Health Information to perform the functions, activities, or services as defined in this Agreement, provided that such use or disclosure would not violate the Privacy Rule if said disclosure were done by the Covered Entity, or the minimum necessary policies and procedures of the Covered Entity, as well as the applicable provisions of the New York State Mental Hygiene Law.
2. Specific Uses and Disclosure – Except as otherwise limited in this Agreement, the Business Associate may disclose Protected Health Information for the proper management and administration of the services to be provided by the Business Associate in this Agreement, provided that disclosures are Required by Law, or the Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and used or further disclosed only as Required by Law, or for the purposes for which it was disclosed to the person, and the person notifies the Business Associate of any instances of which it is aware that the confidentiality of the information has been breached.
3. Except as otherwise limited in this Agreement, the Business Associate may use Protected Health Information to provide information required to the Covered Entity as permitted by 45 CFR Section 164.504 (e)(2)(i)(B).
4. Except as otherwise limited in this Agreement, the Business Associate may use Protected Health Information to carry out the legal responsibilities of the Business Associate.

5. The Business Associate may use Protected Health Information to report violations of law to appropriate Federal and State authorities, consistent with 45 CFR Section 164.502 (j)(1).
6. Nothing within this section shall be construed as to inhibit the disclosure of information as may be required by the New York State Mental Hygiene Law, Sections 33.13 or 33.16, or other provisions, as may be required by Law.

D. OBLIGATIONS OF COVERED ENTITY WITH REGARD TO PRIVACY PRACTICE AND RESTRICTIONS

1. The Covered Entity shall notify the Business Associate of any limitations in its notice of privacy practices in accordance with 45 CFR Section 164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of Protected Health Information.
2. The Covered Entity shall notify the Business Associate of any changes in, or revocation of, permission by the Individual to use or disclose Protected Health Information, to the extent that such changes may affect the Business Associate's use or disclosure of Protected Health Information.
3. The Covered Entity shall notify the Business Associate of any restriction to the use or disclosure of Protected Health Information that the Covered Entity has agreed to in accordance with 45 CFR Section 164.522, to the extent that such restriction may affect the Business Associate's use or disclosure of Protected Health Information.

E. PERMISSIBLE REQUESTS BY COVERED ENTITY

The Covered Entity shall not request the Business Associate to use or disclose Protected Health Information in any manner that would not be permissible under the Privacy Rule if done by the Covered Entity.

F. COVERED ENTITY'S RESPONSIBILITIES UPON TERMINATION

1. The term of this Agreement shall be November 1, 2019 and ending on October 31, 2020. Upon termination of this Agreement, the Covered Entity shall take such necessary precautions to ensure the confidentiality of the Protected Health Information, in accordance with the provisions of 45 CFR Section 164.
2. Termination for Cause – In the event that the Covered Entity becomes aware of a material breach by the Business Associate of the terms of this Schedule B, the Covered Entity shall have the right, at its sole discretion, to proceed as follows:
 - (a) Provide an opportunity to the Business Associate to cure the breach, and end the violation within ten (10) business days. If the Business Associate does not

cure the breach and end the violation within ten (10) business days, the Covered Entity shall have the right to immediately terminate the agreement; or,

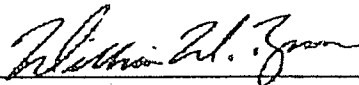
- (b) Immediately terminate the agreement if the Business Associate has breached a material term of this Schedule B, and cure is not possible; or
- (c) If neither termination of the agreement nor cure is feasible, the Covered Entity shall report the violation to the Secretary.

G. EFFECT OF TERMINATION

- 1. Upon termination of the Agreement, the Business Associate shall take all necessary precautions and extend the protections of this Agreement to all Protected Health Information, as if the Agreement were still in force and effect.
- 2. At the end of all audit and other relevant periods, as more particularly described in the RECORDS provisions of the Agreement, the Business Associate shall, if feasible, return or destroy all Protected Health Information received from or created or received by the Business Associate on behalf of the Covered Entity that the Business Associate still maintains in any form.

H. MISCELLANEOUS

- 1. Regulatory References – A reference in this Agreement to a section in the Privacy Rule or in the Mental Hygiene Law means the section as in effect or as amended.
- 2. Amendment – The parties agree to take such action as is necessary to amend this Agreement from time to time as is necessary for the Covered Entity to comply with the requirements of the Privacy Rule and the Health Insurance Portability and Accountability Act of 1996.
- 3. Survival – The respective rights and obligations of the Business Associate with regard to this Schedule B shall survive the termination of this Agreement.
- 4. Interpretation – Any ambiguity in this Agreement shall be resolved to permit the Covered Entity to comply with the Privacy Rule.
- 5. Incorporation in the Agreement – The terms of this Schedule B are hereby incorporated into the Agreement between the parties hereto.

CERTIFICATE OF PROFESSIONAL LIABILITY INSURANCE				DATE: 06/17/2019	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY. CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER.					
THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY LISTED BELOW.					
NAMED INSURED:			CERTIFICATE HOLDER:		
HMM CPAs LLP 527 Townline Rd Ste 203 Hauppauge NY 11788			County of Albany Albany County Nursing Home Albany Shaker Road Albany NY 11211-1086		
IF THE DESCRIBED POLICY IS CANCELLED BEFORE ITS EXPIRATION DATE CPA MUTUAL INSURANCE WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED ABOVE, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON CPA MUTUAL INSURANCE, ITS AGENTS OR REPRESENTATIVES COVERAGES.					
THE POLICY OF INSURANCE LISTED BELOW HAS BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICY DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICY AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
TYPE OF INSURANCE:	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	RETROACTIVE DATE	LIMIT OF LIABILITY
ACCOUNTANTS PROFESSIONAL LIABILITY INSURANCE	APLP10386-27	6/26/2019	6/26/2020	6/26/1988	EACH CLAIM \$2,000,000
LIABILITY					AGGREGATE \$2,000,000
CLAIMS MADE					
DEDUCTIBLE: \$10,000					
PER CLAIM					
THE DEDUCTIBLE SHALL BE SUBTRACTED FROM THE CLAIM EXPENSE ALLOWANCE THEN THE TOTAL LIMIT OF LIABILITY RESULTING FROM EACH CLAIM REPORTED TO THE COMPANY DURING THE POLICY PERIOD, SUBJECT TO AN ANNUAL AGGREGATE DEDUCTIBLE EQUAL TO TWICE THE DEDUCTIBLE AMOUNT LISTED IN THE DECLARATIONS.					
ENDORSEMENTS SHOWN UNDER ITEM 8 OF THE DECLARATION AT INCEPTION:					
Named Insured includes: Horan Martello Morrone PC. CyberProtect Endorsement, CP-01, \$250,000					
AGENCY OFFICE LOCATED:					
CPA MUTUAL INSURANCE					
4923 NW 43 St. Ste C, Gainesville, FL 32606			AUTHORIZED REPRESENTATIVE CPA MUTUAL INS COMPANY OF AMERICA, RRG		



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
10/30/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MARK A SMITH AGENCY, INC. STATE FARM INSURANCE COMPANIES 141 CONKLIN STREET FARMINGDALE, NY 11735 	CONTACT NAME: NICOLE CAIOLA PHONE (A/C, No, Ext): 516-293-8684 FAX (A/C, No): 844-546-2851 E-MAIL ADDRESS: TEAM@MARKASMITHAAGENCY.COM <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A: State Farm Fire and Casualty Company</td> <td>25143</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: State Farm Fire and Casualty Company	25143	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: State Farm Fire and Casualty Company	25143														
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															
INSURED HMM CPAS LLP 527 TOWNLINE RD STE 203 HAUPPAUGE, NY 11788-2833															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD	WYVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		92-B1-G444-1	07/06/2019	07/06/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 600,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 Business Property \$ 107,200
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N		N/A			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
ACCOUNTING SERVICES

ADDITIONAL INSURED: HORAN, MARTELLO, MORRONE, P.C. 527 TOWNLINE RD STE 203 HAUPPAUGE, NY 11788-2833

CERTIFICATE HOLDER

CANCELLATION

COUNTY OF ALBANY
 ALBANY COUNTY NURSING HOME
 780 ALBANY SHAKER RD
 ALBANY, NY 12211

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

10/29/19

© 1988-2014 ACORD CORPORATION. All rights reserved.



**Workers'
Compensation
Board**

**CERTIFICATE OF INSURANCE COVERAGE under the
NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW**

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier	
1a. Legal Name and Address of Insured (Use street address only) HMM CPAs LLP 527 Townline Rd, Suite 203 Hauppauge, NY 11788 <i>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)</i>	1b. Business Telephone Number of Insured (631) 265-6289 1c. Federal Employer Identification Number of Insured or Social Security Number 46-5416249
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) County of Albany Albany County Nursing Home Albany Shanker Road Albany, NY 12211-1086	3a. Name of Insurance Carrier Metropolitan Life Insurance Company 3b. Policy Number of entity listed in box "1a": 219266 3c. Policy effective period: June 1, 2019 to December 31, 2019
4. Policy provides the following benefits: ☒ A. Both disability and paid family leave benefits. ☐ B. Disability benefits only. ☐ C. Paid family leave benefits only. 5. Policy covers: ☒ A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law. ☐ B. Only the following class or classes of employer's employees:	
Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability Benefits and/or Paid Family Leave insurance coverage as described above. By: _____ (Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier) Date Signed: <u>November 6, 2019</u> Telephone Number: <u>678-319-1603</u> Title: <u>State Plan Consultant</u> IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder. If Box 4B, 4C or 5B " is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.	
PART 2. To be completed by NYS Workers' Compensation Board (Only if box 4C or 5B of Part 1 has been checked)	
State of New York Workers' Compensation Board According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees. Date Signed: _____ By: _____ (Signature of Authorized NYS Workers' Compensation Board Employee) Telephone Number: _____ Title: _____	

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



11/13/2019

County of Albany
Albany County Nursing Home
Albany Shaker Road
Albany, NY 12211

RE: Insured: HMM CPAs LLP
Policy # WC 080384416
Form # C105.2

Dear Certificate Holder,

Please note the attached certificate of insurance is issued as a matter of information only and confers no rights upon you.

- This document does not amend, extend or alter the coverage terms, exclusions and conditions afforded by the referenced policies.
- This document does not specify all endorsements, coverages, terms, conditions, and exclusions of the policies shown. All limits shown are as requested, and a self insured retention may apply to the limits shown per terms and conditions of the policy.
- The policies of insurance are in effect only for the policy periods indicated, and aggregate limits shown in the certificate may have been reduced by paid claims.

Sincerely,

ADP TotalSource Certificate Center

Attachment – Certificate of NYS Workers' Compensation Insurance Coverage-C105.2



**Workers'
Compensation
Board**

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (use street address only) ADP TotalSource FL XVI, Inc. 10200 Sunset Drive Miami, FL 33173 L/C/F HMM CPAs LLP 527 Townline Rd Suite 203 Hauppauge, NY 11788 <i>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)</i>	1b. Business Telephone Number of Insured 631/265-6289 1c. NYS Unemployment Insurance Employer Registration Number of Insured 4735300 2 1d. Federal Employer Identification Number of Insured or Social Security Number 465416249
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) County of Albany Albany County Nursing Home Albany Shaker Road Albany, NY 12211	3a. Name of Insurance Carrier New Hampshire Ins Co 3b. Policy Number of Entity Listed in Box "1a" WC 080384416 3c. Policy effective period <u>07/01/2019</u> to <u>07/01/2020</u> 3d. The Proprietor, Partners or Executive Officers are ☒ included. (Only check box if all partners/officers included) ☐ all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.

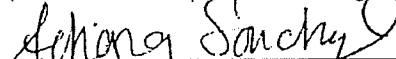
This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Adriana Sanchez
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by:  11/13/2019
(Signature) (Date)

Title: Account Specialist II

Telephone Number of authorized representative or licensed agent of insurance carrier: 800-743-8130

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

RESOLUTION NO. 283

AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE ALBANY COUNTY NURSING HOME

Introduced: 7/8/19

By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 443 for 2016, this Honorable Body authorized an agreement with Horan, Martello and Morrone, CPAs LLP, for accounting and consulting services at the Albany County Residential Healthcare Facility for a three year term commencing October 3, 2016 and ending October 2, 2019, with two optional consecutive one year renewals, in an amount not to exceed \$133,500, and

WHEREAS, The Executive Director of the Residential Healthcare Facility has requested authorization to renew the contract and enter into the first year of the optional one year agreements with Horan, Martello and Morrone, CPAs LLP, for accounting and consulting services related to Medicaid and Medicare programs for the facility, including cost reporting, variance reports and training of staff, and

WHEREAS, The Executive Director has indicated that the agreement would be for a term commencing November 1, 2019 and ending October 31, 2020 in the amount of \$44,500, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized enter into the first year of the optional one year agreements with Horan, Martello and Morrone, CPAs LLP, Hauppauge, New York 11788 for accounting and consulting services related to Medicaid and Medicare programs for the Nursing Home, including cost reporting, variance reports and training of staff in an amount not to exceed \$44,500 commencing November 1, 2019 and ending October 31, 2020, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote - 7/8/19

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 8th day of July, 2019, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the
official seal of the County Legislature this 9th day of June, 2019.

A handwritten signature in cursive script, appearing to read "Paul J. Deeney".

Clerk, Albany County Legislature



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

May 22, 2020

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

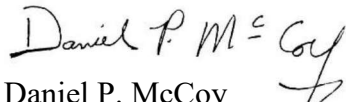
Dear Chairman Joyce:

The Office of the Albany County Executive respectfully requests authorization to apply for Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) grant funding in the amount of \$898,062. The COSSAP grant is administered by the US Department of Justice, Office of Justice Programs.

COSSAP funding would be used to support Albany LEAD's new initiative, 'Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County.' This new effort will build upon the successful foundation that Albany LEAD has already established. Operational capacity will be increased with the addition of case managers, a full time Project Director and s Community Engagement and Outreach Coordinator to improve coordination between partners and the public, increase public awareness of LEAD, and develop policies and procedures to better serve LEAD communities. This investment into Albany LEAD will provide LEAD services to entirely new communities within Albany County and serve as a proof of concept that LEAD can operate well outside of urban cities.

If you should have any questions, please do not hesitate to contact me.

Sincerely


Daniel P. McCoy
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

112 State Street
Albany, NY 12207

Legislation Text

File #: TMP-1678, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Permission to Apply for the 2020 COSSAP Grant on behalf of Albany LEAD

Date: 5/22/2020
Submitted By: Michael Lalli
Department: County Executive's Office
Title: Click or tap here to enter text.
Phone: 518-447-5642
Department Rep.
Attending Meeting: Michael McLaughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☒ Grant

Choose an item.

Submission Date Deadline 5/21/2020

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

US Department of Justice

Office of Justice Programs

810 7th St. NW, Washington, D.C. 20531

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: 898,062

Scope of Services: Albany LEAD is looking to capitalize on its momentum by Growing LEAD:

Increasing Operational Capacity to Improve and Expand Service in Albany County. This new effort will build upon the successful foundation that Albany LEAD has already established by hiring new staff and building additional support.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 1/1/2021 - 12/31/2023

Length of Contract: 3 Years

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Albany LEAD is looking to capitalize on its momentum by Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County. This new effort will build upon the successful foundation that Albany LEAD has already established. Operational Capacity will be increased with the addition of case managers to grow caseload capacity by 200%, an increase of approximately 50 new clients annually. Additionally, a full time, dedicated Project Director and Community Engagement and Outreach Coordinator will be hired to improve coordination between partners and the public, increase public awareness of LEAD, and develop policies and procedures to better serve LEAD communities. Once this increased capacity is built Albany LEAD will begin its geographic expansion within Albany County, with a population over 305,000. The County Sheriff has the ability to serve the rural communities of Albany County while a number of municipal police forces have expressed interest in becoming LEAD partners. Albany County seeks the assistance of the Bureau of Justice Assistance in a funding amount of \$898,062.00 to achieve these goals. This investment into Albany LEAD will provide LEAD services to entirely new communities within Albany County and serve as a proof of concept that LEAD can operate well outside of urban cities.



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications to plan and implement comprehensive programs in response to the growing opioid epidemic. This program furthers the Department's mission by providing resources to support state, local, tribal, and territorial efforts to reduce violent crime and drug abuse and enhance public safety, while supporting victims.

Comprehensive Opioid Abuse Site-based Program FY 2019 Competitive Grant Announcement Applications Due: June 5, 2019

Eligibility

Eligible applicants are those that meet the following criteria for the three categories:

Category 1: Locally Driven Responses to the Opioid Epidemic – Applicants are limited to units of local government and federally recognized Indian tribal governments (as determined by the Secretary of the Interior). Jurisdictions without a county- or local government-based addiction service system may designate the [State Administering Agency \(SAA\)](#) to serve as the primary applicant and subgrant funds to providers at the county level. Applicants should ensure they apply under the appropriate subcategory based on the population of the proposed project area.

Subcategory 1a – An urban area or large county with a population greater than 500,000.

Subcategory 1b – A suburban area or medium-size county with a population between 100,000 and 500,000.

Subcategory 1c – A rural area or small county with a population of fewer than 100,000 or a federally recognized Indian tribe.

Category 2: Statewide Implementation, Enhancement, and Evaluation Projects – Applicants are limited to the SAA responsible for directing criminal justice planning or the State Alcohol and Substance Abuse Agency.

Category 3: Harold Rogers Prescription Drug Monitoring Program (PDMP) Implementation and Enhancement Projects – Applicants are limited to state governments and territories that have a pending or enacted enabling statute or regulation requiring the submission of controlled substance prescription data to an authorized state agency. Applicants

within a state that does not have an enabling state statute requiring the submission of controlled substance prescription data to an authorized state agency are eligible to apply as a city, county, or region if (a) the city, county, or region has enacted an enabling statute, ordinance, or regulation requiring the submission of controlled substance prescription data to an authorized city, county, or region; (b) the city, county, or region agrees to transition the PDMP system to an authorized state agency if the state adopts an enabling state statute requiring the submission of controlled substance prescription data to an authorized state agency; and (c) the city, county, or region ensures that all vendor contracts are written to permit the transfer of ownership of the system to the authorized state agency.

For any of the categories listed above, BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients ("subgrantees").¹ The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project.

For each category, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (subgrantee) in more than one application. This includes applications that propose to serve a region that crosses state boundaries. Subrecipients may include treatment providers, victim service providers, and other not-for-profit entities as part of a comprehensive cross-disciplinary response as outlined in Categories 1 and 2. If an agency wishes to apply under multiple categories, a separate application is needed for each category of funding.

BJA may elect to fund applications submitted under this FY 2019 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

Deadline

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on June 5, 2019.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How To Apply](#) in Section D. Application and Submission Information.

¹ For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or via email to support@grants.gov. The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the [How To Apply](#) section.

For assistance with any unforeseen Grants.gov technical issues beyond an applicant’s control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800–851–3420; via TTY at 301–240–6310 (hearing impaired only); email grants@ncjrs.gov; fax to 301–240–5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this announcement: BJA-2019-15111

Release date: April 5, 2019

Application for Federal Assistance SF-424			
* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application		* 2. Type of Application: ☒ New ☐ Continuation ☐ Revision	
		* If Revision, select appropriate letter(s): * Other (Specify): 	
* 3. Date Received: 		4. Applicant Identifier: 	
5a. Federal Entity Identifier: 		5b. Federal Award Identifier: 	
State Use Only:			
6. Date Received by State:		7. State Application Identifier:	
8. APPLICANT INFORMATION:			
* a. Legal Name:			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 		* c. Organizational DUNS: 	
d. Address:			
* Street1: Street2: * City: County/Parish: * State: NY: New York Province: * Country: USA: UNITED STATES * Zip / Postal Code:			
e. Organizational Unit:			
Department Name: 		Division Name: 	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix: Middle Name: * Last Name: Suffix:		* First Name: 	
Title:			
Organizational Affiliation: 			
* Telephone Number:		Fax Number:	
* Email:			

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Bureau of Justice Assistance

11. Catalog of Federal Domestic Assistance Number:

16.838

CFDA Title:

Comprehensive Opioid Abuse Site-Based Program

* 12. Funding Opportunity Number:

BJA-2020-17023

* Title:

BJA FY 20 Comprehensive Opioid, Stimulant, and Substance Abuse Site-based Program (COSSAP)

13. Competition Identification Number:

BJA-2020-17024

Title:

Comprehensive Opioid, Stimulant, and Substance Abuse Site-based Program: Local or Tribal Applications

14. Areas Affected by Project (Cities, Counties, States, etc.):

1.14 Areas Affected by Project.pdf

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County

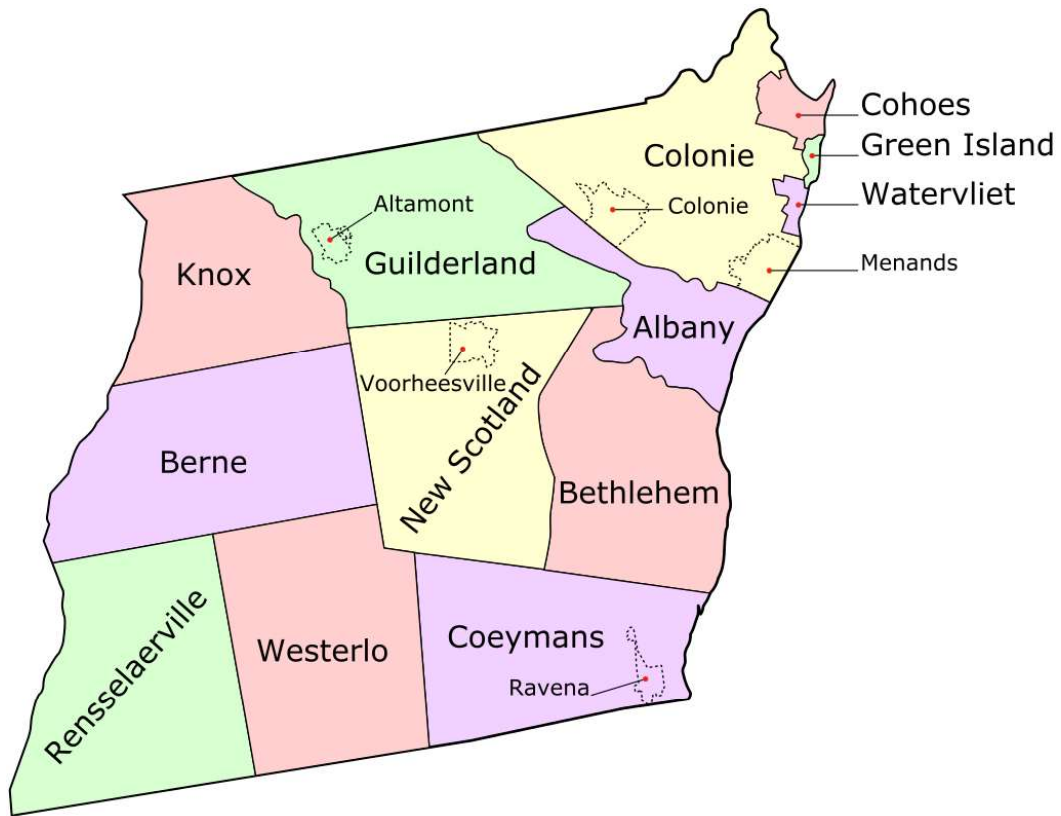
Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant: NY-020	* b. Program/Project: NY-020
Attach an additional list of Program/Project Congressional Districts if needed.	
	Add Attachment Delete Attachment View Attachment
17. Proposed Project:	
* a. Start Date: 10/01/2020	* b. End Date: 10/01/2023
18. Estimated Funding (\$):	
* a. Federal	898,062.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	898,062.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .	
☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
☒ c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
☐ Yes ☒ No	
If "Yes", provide explanation and attach	
	Add Attachment Delete Attachment View Attachment
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
☒ ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix:	* First Name: Michael
Middle Name:	
* Last Name: Lalli	
Suffix:	
* Title: Director	
* Telephone Number: 5184477040	Fax Number:
* Email: michael.lalli@albanycountyny.gov	
* Signature of Authorized Representative: Completed by Grants.gov upon submission.	* Date Signed: Completed by Grants.gov upon submission.



Cities

Albany

Cohoes

Watervliet

Towns

Berne

Bethlehem

Coeymans

Colonie

Green Island

Guilderland

Knox

New Scotland

Rensselaerville

Westerlo

Villages

Altamont

Colonie

Green Island

Menands

Ravena

Voorheesville

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Completed on submission to Grants.gov	Director
APPLICANT ORGANIZATION	DATE SUBMITTED
Albany County	Completed on submission to Grants.gov

Standard Form 424B (Rev. 7-97) Back

Budget Narrative File(s)

* **Mandatory Budget Narrative Filename:**

Add Mandatory Budget Narrative

Delete Mandatory Budget Narrative

View Mandatory Budget Narrative

To add more Budget Narrative attachments, please use the attachment buttons below.

Add Optional Budget Narrative

Delete Optional Budget Narrative

View Optional Budget Narrative

The following attachment is not included in the view since it is not a read-only PDF file.

Upon submission, this file will be transmitted to the Grantor without any data loss.

Albany LEAD Budget Narrative.XLSM

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

OMB Number: 4040-0013

Expiration Date: 02/28/2022

1. * Type of Federal Action: ☐ a. contract ☒ b. grant ☐ c. cooperative agreement ☐ d. loan ☐ e. loan guarantee ☐ f. loan insurance	2. * Status of Federal Action: ☐ a. bid/offer/application ☒ b. initial award ☐ c. post-award	3. * Report Type: ☒ a. initial filing ☐ b. material change
--	--	--

4. Name and Address of Reporting Entity:
☒ Prime ☐ SubAwardee

 * Name

 * Street 1 Street 2

 * City State Zip

 Congressional District, if known:

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency: Bureau of Justice Assistance, DOJ	7. * Federal Program Name/Description: Comprehensive Opioid Abuse Site-Based Program CFDA Number, if applicable: 16.838
--	--

8. Federal Action Number, if known: 	9. Award Amount, if known: \$
--	--

10. a. Name and Address of Lobbying Registrant:

 Prefix * First Name Middle Name

 * Last Name Suffix

 * Street 1 Street 2

 * City State Zip

b. Individual Performing Services (including address if different from No. 10a)

 Prefix * First Name Middle Name

 * Last Name Suffix

 * Street 1 Street 2

 * City State Zip

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature: Completed on submission to Grants.gov	* Name: Prefix * First Name Michael Middle Name * Last Name Lalli Suffix	
Title: Director of Civil Service	Telephone No.: 518-447-5642	Date: Completed on submission to Grants.gov



**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

OMB Number: 1121-0329
Expiration Date: 11/30/2020

Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

1. Name of Organization and Address:

Organization Name:

Street1:

Street2:

City:

State:

Zip Code:

2. Authorized Representative's Name and Title:

Prefix: First Name: Middle Name:

Last Name: Suffix:

Title:

3. Phone: 4. Fax:

5. Email:

6. Year Established: 1683	7. Employer Identification Number (EIN): 146002563	8. DUNS Number: 0605366530000
---	--	---

9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? ☒ Yes ☐ No

If "No" skip to Question 10.

If "Yes" skip to Questions 9. b) and 9. c).



**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

OMB Number: 1121-0329
Expiration Date: 11/30/2020

AUDIT INFORMATION

9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?

☐ Yes ☒ No

9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?

☐ Yes ☒ No

If "Yes", refer to "Additional Attachments" under "What an Application Should Include" in the OJB solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.

For the purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.

10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):

☒ "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200

☒ Financial Statement Audit

☐ Defense Contract Agency Audit (DCAA)

☒ Other Audit & Agency (list type of audit):

NYS DOT Single Audit

☐ None (if none, skip to question 13)

11. Most Recent Audit Report Issued: ☒ Within the last 12 months ☐ Within the last 2 years ☐ Over 2 years ago ☐ N/A

Name of Audit Agency/Firm: BST & Co CPA's, LLP

AUDITOR'S OPINION:

12. On the most recent audit, what was the auditor's opinion?

☒ Unqualified Opinion ☐ Qualified Opinion ☐ Disclaimer, Going Concern or Adverse Opinions ☐ N/A: No audits as described above

Enter the number of findings (if none, enter "0"): 0

Enter the dollar amount of questioned costs (if none, enter "\$0"): 0.00

Were material weaknesses noted in either the report or opinion?

☐ Yes ☒ No

13. Which of the following best describes your accounting system:

☐ Manual ☒ Automated ☐ Combination of Manual and Automated

14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?

☒ Yes ☐ No ☐ Not Sure

15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by budget cost categories shown in the approved budget?

☒ Yes ☐ No ☐ Not Sure



**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

OMB Number: 1121-0329
Expiration Date: 11/30/2020

16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?	☒ Yes ☐ No ☐ Not Sure
17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	☒ Yes ☐ No ☐ Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	☒ Yes ☐ No ☐ Not Sure
19. Is the applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R. Part 200?	☒ Yes ☐ No ☐ Not Sure
PROPERTY STANDARDS AND PROCUREMENT STANDARDS	
20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds: (1) a description of the property; (2) an identification number; (3) the source of the funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	☒ Yes ☐ No ☐ Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that -- (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for an analysis of lease and purchase alternatives; and (3) set out a process for soliciting goods and services and (4) include standards of conduct the address conflicts of interest?	☒ Yes ☐ No ☐ Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	☒ Yes ☐ No ☐ Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	☒ Yes ☐ No ☐ Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?	☒ Yes ☐ No ☐ Not Sure
TRAVEL POLICY	
24. Does the applicant entity:	
(a) maintain a standard travel policy?	☒ Yes ☐ No
(b) adhere to the Federal Travel Regulation? (FTR)	☒ Yes ☐ No



**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

OMB Number: 1121-0329
Expiration Date: 11/30/2020

SUBRECIPIENT MANAGEMENT AND MONITORING

25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award -- (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?

☐ Yes ☐ No ☐ Not Sure
☒ N/A - Applicant does not make subawards under any OJP awards

26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

☐ Yes ☐ No ☐ Not Sure
☒ N/A - Applicant does not make subawards under any OJP awards

27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual who is suspended or debarred from such subawards?

☐ Yes ☐ No ☐ Not Sure
☒ N/A - Applicant does not make subawards under any OJP awards

DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)

☐ Yes ☒ No ☐ Not Sure

If "Yes", provide the following:

(a) Name(s) of the federal awarding agency:

(b) Date(s) the agency notified the applicant entity of the "high risk" designation:

(c) Contact information for the "high risk" point of contact at the federal agency:

Name:

Phone:

Email:

(d) Reason for "high risk" status, as set out by the federal agency:

CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR") or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name: Michael Lalli

Date: 04/13/2020

Title: ☐ Executive Director ☐ Chief Financial Officer ☐ Chairman

☒ Other: Director of Civil Service

Phone: 518-447-5642

Other Attachment File(s)

* **Mandatory Other Attachment Filename:**

Add Mandatory Other Attachment

Delete Mandatory Other Attachment

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To add more "Other Attachment" attachments, please use the attachment buttons below.

Add Optional Other Attachment

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View Optional Other Attachment

Growing LEAD
Time Task Plan

Project Timeline (January 1, 2021 - December 31, 2023)			
Project Goal	Objective	Completion Date	Responsible Party
	Replace the vacant position to ensure LEAD has a dedicated, full time director	End of May/Early June 2020	LEAD Policy Coordinating Group (PCG) with assistance from LEAD National Support Bureau (LNSB)
Hire Project Director	Reevaluate the program, ensure members are on the same page, plan for next steps	July 31, 2020	LNSB
Conduct a data study on the diversions and cases to date	Ensure LEAD is doing what is was designed to do, serving those in need without bias	December 31, 2020	PCG w/ Program Director
Identify a new municipal law enforcement agency as a pilot agency outside of the City of Albany	Begin the planning phase of expanding LEAD geographically by identifying a new partner	December 31, 2020	PCG w/ Program Director
			CEOC - Center for Law and Justice LEAD ADA - District Attorney Case Managers - Catholic Charities *all positions hired with the consideration of the PCG
Hire Additional Staff	Hire new positions to increase capacity including CEOC, LEAD ADA, and Case Managers	June 1, 2021	
Engage in enhanced community outreach	Use the CEOC to more actively engage the community	September 31, 2021	CEOC / Center for Law and Justice
Begin planning an implementing LEAD in the identified municipality	Coordinate with the new municipality to pilot LEAD within their jurisdiction	December 31, 2021	PCG w/ Program Director
Identify additional revenue sources	Ensure LEAD has continued funding, ideally through municipally budgeted sources	June 1, 2021	Program Director

Growing LEAD
Time Task Plan

Expand data collection and conduct a more in-depth study	Expand upon the 2020 study with better data	December 31, 2021	Program Director and CEOC
Identify additional Albany County municipalities interested in LEAD	Continue expanding LEAD to new municipalities within Albany County to share the benefits to all residents	June 1, 2022	Program Director and CEOC
Investigate and possibly implement social contact referrals	Expand LEAD beyond criminal diversions to social contact referrals, helping those in need without requiring they commit a crime to receive services	June 1, 2022	Program Director
Decrease opioid abuse and recidivism (proven through long term data)	Expand upon the 2020 and 2021 study to prove a decrease in opioid abuse and recidivism with a data driven approach	December 1, 2022	Program Director and CEOC



5/11/2020

Rebecca Brown

Consulting Expert, LEAD Proof of Concept Project

Public Defender Association

by email to: rebecca.brown@leadbureau.org

Re: Letter of Intent regarding LEAD National Development Cohort

Dear Rebecca:

As members of the Policy Coordinating Group (or equivalent body) for the LEAD project in the city of Albany, we are writing to respond to your invitation to join the LEAD National Development Cohort.

☒ We accept this invitation, and we identify [enter name], our Project Manager, as the primary point of contact for this project. *[Note: If you do not currently have a Project Manager or are proposing another person as the primary point of contact for this project, please use the space below to explain your reasoning for this decision.]*

Contact information for Project Manager/Primary Point of Contact:

Name: Michael Lalli	Title: Director of Civil Service
Organization: Albany County	Role in LEAD: County Executive Representative
Email address: michael.lalli@albanycountyny.gov	Office phone: 518-447-5642 Cell phone
Albany LEAD is in the process of hiring a project manager. Michael Lalli can act as a point of contact for the time being to disseminate information to the group and coordinate actions between all members	

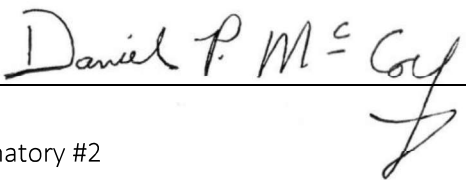
☐ We decline this invitation.

Note: If you have decided to decline this invitation, we would be grateful if you would use this space to help us understand why you've made this decision.

As representatives of Albany LEAD, we the undersigned endorse the information provided in this

Letter of Intent, and we look forward to executing a Memorandum of Understanding to partner with you in the LEAD National Development Cohort.

Signatory #1

Name: Daniel P. McCoy	Role in LEAD: Signatory Member
Organization: Albany County Executive's Office	Email address: County_Executive@albanycounty.com
Title: Albany County Executive	Office phone: 518-447-7040 Cell phone:
	

Signatory #2

Name: Kathy Sheehan	Role in LEAD: Signatory Member
Organization: City of Albany	Email address: mayor@albanyny.gov
Title: Mayor	Office phone: 518-434-5100 Cell phone:

Signatory #3

Name: David Soares	Role in LEAD: Signatory Member
Organization: Albany County District Attorney	Email address: AlbanyDA@albanycountyny.gov
Title: District Attorney	Office phone: 518-487-5093 Cell phone:

Signatory #4

Name: Eric Hawkins	Role in LEAD: Signatory Member
Organization: Albany Police Department	Email address: ehawkins@albanyny.gov
Title: Chief	Office phone: 518-438-4000 Cell phone:

Signatory #5

Name: Craig Apple	Role in LEAD: Signatory Member
Organization: Albany County Sheriff	Email address: Craig.Apple@albanycountyny.gov
Title: Sheriff	Office phone: 518-487-5400 Cell phone:

Signatory #6

Name: Alice Green	Role in LEAD: Signatory Member
Organization: Center for Law and Justice	Email address: cflj@verizon.net
Title: Executive Director	Office phone: 518-427-8361 Cell phone:

Signatory #7

Name: Anthony Capece	Role in LEAD: Signatory Member
Organization: Central District Management Association, Inc.	Email address: anthony@centralbid.com
Title: Executive Director	Office phone: 518-462-4300 Cell phone:



US Census 2014-2018 Poverty Rates				
Zip Code	People in Poverty	18 Years and Younger	18 - 64	65 Years and Older
12202	35.1%	51.0%	33.1%	12.6%
12205	35.1%	51.0%	33.1%	12.6%
12206	34.6%	43.7%	34.1%	14.0%
12207	54.0%	70.2%	55.7%	40.0%

Designated Qualified Opportunity Zones

This document was updated **December 14, 2018**, to reflect the final Qualified Opportunity Zone designations for all States.

Please note that the below list of designated tracts is not the official list. The official list will be published in the Internal Revenue Bulletin at a later date.

Click arrow to filter state				
State	County	Census Tract Number	Tract Type	ACS Data Source
New York	Albany	36001000200	Low-Income Community	2011-2015
New York	Albany	36001001100	Low-Income Community	2011-2015
New York	Albany	36001002100	Low-Income Community	2011-2015
New York	Albany	36001002300	Low-Income Community	2011-2015
New York	Albany	36001002500	Low-Income Community	2011-2015
New York	Albany	36001002600	Low-Income Community	2011-2015



KATHY M. SHEEHAN
MAYOR



CITY OF ALBANY
DEPARTMENT OF POLICE
165 HENRY JOHNSON BOULEVARD
ALBANY, NEW YORK 12210
TELEPHONE (518) 462-8012



ERIC HAWKINS
CHIEF OF POLICE

May 15, 2020

To Whom It May Concern:

On behalf of the Albany Police Department it is my pleasure to offer our support in achieving the goals outlined in the Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Abuse Program grant, submitted by Albany County. The Albany Police Department recognizes the importance of taking a coordinated, public health-oriented approach in dealing with individuals with substance dependence or a co-occurring disorder where the focus is not on punishment, but rather on harm reduction, treatment, and supportive services. The proposed expansion of this successful pre-arrest diversion program will further embrace an effort to reduce the risk of overdose, reduce criminal behavior and improve overall community safety.

It is our pleasure to continue to support our partners throughout the Capital Region, as we are fully committed to protecting, promoting, and improving the health of the County of Albany residents through this partnership. The LEAD Program and its innovative public safety and public health interventions are aimed at reorienting the County's approach to substance use, mental health, and poverty-driven contact starting with law enforcement contacts. The Albany Police Department plans to continue to support the Albany LEAD Program by acting as a referral source for LEAD diversions as other law enforcement agencies throughout Albany County begin to implement diversion protocols. The Albany Police Department continues to drive a cultural change in the way law enforcement addresses individuals who are facing issues of mental illness, substance use, poverty, and/or homelessness. We will use our experiential knowledge to help guide other law enforcement partners.

The Albany Police Department, along with our community partners, is committed to expanding and overseeing a coordinated system of services for individuals in the Albany LEAD Program. It is our pleasure to support this great initiative in our community.

Sincerely,

Eric Hawkins
Chief of Police

Project Abstract

The Project Abstract must not exceed one page and must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained description of the project and should contain a statement of objectives and methods to be employed. It should be informative to other persons working in the same or related fields and insofar as possible understandable to a technically literate lay reader. This Abstract must not include any proprietary/confidential information.

* Please click the add attachment button to complete this entry.

Add Attachment

Delete Attachment

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Albany LEAD Project Abstract.pdf

Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County

Albany County Executive's Office

Albany LEAD was established in 2016 as a new harm-reduction oriented process for responding to low-level drug, alcohol and mental-illness based offenses. Law Enforcement Assisted Diversion (LEAD) gives police officers the discretion to divert these offenses out of the criminal justice system for case management. The program multi-agency partnership between the Albany County Executive, District Attorney, Sheriff, Mayor of Albany, City of Albany Police Department, Center for Law and Justice, and Central Avenue Business Improvement District with strong support from Catholic Charities and the LEAD National Support Bureau. Albany LEAD currently serves the City of Albany with a population over 97,000. Since its establishment in 2016, Albany LEAD has proven successful with over 215 diversions. 70% of these individuals had a substance abuse problem, primarily an addiction to opioids and/or crack/cocaine and 85% have been identified as having a mental health issue. As Albany LEAD continues to engrain itself more and more into the fabric of Albany's criminal justice system, demand for LEAD has increased.

Albany LEAD is looking to capitalize on its momentum by **Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County**. This new effort will build upon the successful foundation that Albany LEAD has already established. Operational Capacity will be increased with the addition of case managers to grow caseload capacity by 200%, an increase of approximately 50 new clients annually. Additionally, a full time, dedicated Project Director and Community Engagement and Outreach Coordinator will be hired to improve coordination between partners and the public, increase public awareness of LEAD, and develop policies and procedures to better serve LEAD communities. Once this increased capacity is built Albany LEAD will begin its geographic expansion within Albany County, with a population over 305,000. The County Sheriff has the ability to serve the rural communities of Albany County while a number of municipal police forces have expressed interest in becoming LEAD partners. Albany County seeks the assistance of the Bureau of Justice Assistance in a funding amount of \$898,062.00 to achieve these goals. This investment into Albany LEAD will provide LEAD services to entirely new communities within Albany County and serve as a proof of concept that LEAD can operate well outside of urban cities.

Project Narrative File(s)

* **Mandatory Project Narrative File Filename:**

Add Mandatory Project Narrative File

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To add more Project Narrative File attachments, please use the attachment buttons below.

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Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County

Project Narrative

Introduction

Albany LEAD was established in 2016 as a new harm-reduction oriented process for responding to low-level drug, alcohol, and mental illness based offenses. **Law Enforcement Assisted Diversion (LEAD)** gives police officers the discretion to divert these offenses out of the criminal justice system for case management. The program is a multi-agency partnership between the Albany County Executive, District Attorney, Sheriff, Mayor of Albany, City of Albany Police Department, Center for Law and Justice, and Central Avenue Business Improvement District with strong support from Catholic Charities and the LEAD National Support Bureau. The nature of this collaborative partnership provides a balance of public health, criminal justice, and community engagement to directly address communities disproportionately impacted by opioid abuse and crime. Albany LEAD is now looking to leverage its successful momentum through **Growing LEAD: Increasing Operational Capacity to Improve and Expand Service in Albany County.**

Since its creation, Albany LEAD has been at the forefront of criminal justice reform and using new techniques to address the growing abuse of opioids. Its collaborative partnership highlights a commitment of reform from every major criminal justice agency serving Albany. LEAD was originally met with skepticism from businesses, police officers, attorneys, and others. However, in the past four years it has become widely embraced by all partners. LEAD is no longer a trial program, but rather an integral part woven into the fabric of Albany's criminal justice system.

Statement of the Problem

Albany LEAD has resulted in 215 diversions to date, 125 of which are still actively receiving case management. These diversions are helping the most vulnerable populations who have been repeat offenders in the criminal justice system. One of the main populations targeted by LEAD are repeat offenders whose crimes are drug-related or are committed to supporting an addiction. **70% of LEAD clients have a substance abuse concern,** with the most common drugs being opiates and crack/cocaine. **In the past seven years,**

Albany County's deaths attributed to opioid abuse have increased by 129%. Between 2010 and 2017, the crude death rate for opioid-related deaths has risen from 5 to 16.8 per 100,000 across New York State. Hospitalizations and ER visits have all skyrocketed during this time as well. One of the most telling statistics is Naloxone administrations, which totaled 347 in

ALBANY COUNTY OPIOID DEATHS

Year	Number of Deaths
2019	62
2018	55
2017	40
2016	47
2015	39
2014	36
2013	31
2012	27

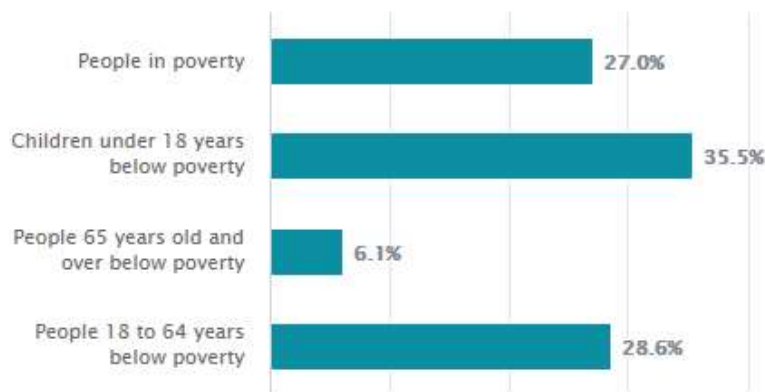
Albany County in 2018 and nearly 10,000 statewide. With Albany County's Mental Health Department and Social Services involved, LEAD clients can enroll in Medicaid/Medicare and receive immediate treatment within Albany's vast network of care providers. These numbers show that demand is climbing for programs to combat opioid abuse. While Albany County and its neighbors have increased resources and piloted new initiatives, more residents are abusing opioids than ever. **Growing LEAD's priority is to address individuals with opioid, stimulant, and substance abuse issues by providing alternatives to the criminal justice system which has proven time and time again to fail at addressing the underlying issues LEAD clients face.**

85% of Albany LEAD clients have been diagnosed with a mental health issue, 30% of which have serious underlying concerns such as Schizophrenia and Personality Disorders. At a time where the largest mental health facilities in New York State are its jails and prisons, Albany LEAD has proven successful in keeping individuals with mental health issues at home in their communities. The collaborative partnership between Albany County Mental Health (ACMH) and the other LEAD members ensure that all clients receive the therapy they require and that their housing, drug treatment, and employment all take into consideration their mental health needs. ACMH has a large network of contracted providers that ensure that mental health and substance abuse issues are treated, many times in the LEAD client's community. As for the physical health of LEAD clients, **40% of those diverted are non-utilizers who are not linked or engaged with a Primary Care Provider and/or don't have insurance.** 95 of these 215 individuals were successfully linked with a medical provider. The physical health of clients must always be considered in LEAD's holistic care approach, as medical conditions are typically exacerbated by drug abuse and mental health issues.

65% of the individuals were homeless at diversion. 85 of the 215 have been assisted in applying for stable housing and been successful in maintaining that housing. Housing is one of the most important determinants in providing stability for LEAD clients by providing one of the most basic human needs. By using case managers to navigate Albany County Social Services for emergency housing and subsequently the city's Public Housing Authority, LEAD clients are able to remove the anxiety and stigma of homelessness and focus on their recovery. The Addictions Care Center of Albany, Trinity Alliance, and several other facilities all offer inpatient treatment to ensure housing and recovery are provided in tandem for great success.

It is important to note that **six census tracts in the City of Albany qualify as Designated Qualified Opportunity Zones (QOZ)**, per the current list of designated QOZs on the U.S. Department of the Treasury’s resource webpage. Likewise, the same census tracts have an average of 27% of residents that are in poverty according to 2013 to 2018 census numbers.

Poverty Rates in Census Tract 3
Albany, New York



Growing LEAD will provide essential services to these QOZs as a majority of diversions already occur in zip codes correlating to these census tracts (see additional attachments). These services are essential to keeping LEAD clients in their homes rather than removing them from their communities. As these zones are designed to spur economic development and job creation in distressed communities, Albany LEAD will be able to leverage the expertise of the Central Avenue Business Improvement District (BID). Since its creation in 2016, Albany LEAD has always intended to promote economic development in addition to providing criminal diversions. Business owners, at one time reluctant, have grown to appreciate LEAD for its ability to transform repeat shoplifters and panhandlers into customers.

In the past six months, Albany LEAD has experienced a number of setbacks. At the end of 2019, LEAD’s Program Director left Albany LEAD for a new job. In January of 2020, the Advisory Member of the Policy Coordinating Group (PCG) followed suit. The previous Program Director and Advisory Member were unable to secure funding for case management, a Program Director, or any other operating expenses before their departure. Albany LEAD has taken this as an opportunity to step back, reevaluate and get back into the fight with more enthusiasm than

ever before. In January of 2020, the PCG quickly organized to identify a new partner, the LEAD National Support Bureau (LNSB), which had previously worked with Albany LEAD to develop the original program in 2016. Former Albany Police Chief, Brendan Cox, returned to Albany LEAD as a National Site Advisor with LNSB, bringing with him a wealth of experience, vision, and technical support. Albany LEAD's PCG sent a cohort of its members to the LEAD National Learning Conference at the end of January. The cohort came back reinvigorated with a sense of direction. Albany LEAD continued to build upon its relationship with LNSB by joining the LEAD National Development Cohort for enhanced technical assistance as a key LEAD site.

During this time, Albany LEAD secured \$100,000 in funding from the Charles L. Touhey Foundation, a local charitable foundation that focuses on community investment. This funding has been allotted for salary and fringe for a full-time Project Director that we anticipate hiring by the end of May. Unlike past Project Directors, this position will now be administratively housed with LNSB to further strengthen the partnership between Albany LEAD and LNSB. Housing the Project Director with LNSB also provides a higher level of independence from any of the one LEAD members to ensure unbiased program management. Additionally, the position will be 100% dedicated to Albany LEAD rather than in the past when the position was tasked with many duties unrelated to the program.

Albany LEAD members have been extremely active over the past several months in an effort to not only right the ship, but chart the course into the future for LEAD. **That future involves recognizing the success of LEAD and leveraging it to increase capacity and expand geographically.** Unfortunately, the events around the turn of the year have left Albany LEAD without the funding to achieve this expansion. While the funding for a Project Director has been awarded, it will only last for a year. Additionally, with the abundance of LEAD Clients, Catholic

Charities Case Managers are becoming burdened with heavy caseloads. Catholic Charities has been a great partner and has shared the cases across various case managers who were unaffiliated with LEAD, however, they need additional dedicated staff to handle the demand of LEAD. Case Managers are the main implementers of LEAD services following a diversion.

Project Design and Implementation

Albany LEAD has been a success to date, yet our growth is beginning to reach its terminal velocity. Initial funds from private grants helped Albany LEAD as a fledgling organization, but **now we need assistance in reaching the next step: increased client capacity and geographic growth.** Currently Albany LEAD provides case management for its active cases through two full-time case managers working for Catholic Charities. Each case manager currently has a load of 36 individuals. This amount is higher than we would like, however, there is no cap on cases to ensure that all individuals in need of service are accepted. In 2019, these case managers served about 150 individuals. In order to increase the supply of LEAD services to the community, case management is the vital requirement that needs to increase. We estimate that **funding two new case managers would increase our capacity by 200%.** Because the needs of the clients can be quite acute, sometimes requiring multiple, daily follow-ups, we anticipate each new case manager serving about 25 individuals.

Since the inception of LEAD, the PCG has always envisioned expanding beyond the borders of the City of Albany. Albany County is an extremely diverse area, with dense urban cities and sparse rural towns. Each municipality has its own difficulties with recidivism, drug abuse, and criminal justice. While the City of Albany has more concentrated areas of crime and

substance abuse, it also has more resources available for individuals in the criminal justice system. Rural areas on the other hand, lack the density, however their residents do not have access to critical infrastructures such as public transportation, local drug rehabilitation services, and accessible employment. Caseworkers will often need to travel to meet LEAD clients in their own communities, some of which are 40-minute drives from downtown Albany. Hiring additional caseworkers is essential to creating a framework for expansion.

With the County Executive, District Attorney, and Sheriff all at the table, **Albany LEAD has the framework to expand into other municipalities within the County.** Members of the Albany County Sheriff's Patrol respond to approximately 23,000 calls per service a year and make an average of 450 arrests. Between the Sheriff's New Scotland patrol station, which covers five municipalities, and Airport Station, there were 146 misdemeanor drug possession arrests in 2019, many of which would qualify for a LEAD diversion. Additionally, the Sheriff had approximately 47 petit larceny arrests, many of which would also qualify. In terms of responding directly to opioid abuse, the Sheriff's Deputies responded to 12 opioid overdoses and referred said individuals to Catholic Charities (already a LEAD partner) for follow-up services. The Sheriff provides law enforcement services to the five westernmost towns in Albany County and also provides supplemental services to many of the other towns, villages, and cities within the county. Incorporating LEAD into Sheriff served municipalities would add tens of thousands of county residents into the LEAD's service area. Additionally, it would provide more of a role to the Sheriff who already has a vested interest in new solutions to solving opioid abuse. The Sheriff's Heroin Addiction Recovery Program (SHARP) inside of the Albany County Correctional Facility offers services to individuals addicted to opioids for a unique, inpatient

treatment model inside of a jail setting. In 2019, 81 men and 41 women went through this program.

Additionally, several municipal police departments have inquired about expanding LEAD into their jurisdictions. Most recently, the Town of Colonie has expressed interest in becoming a LEAD partner. Colonie is the second-largest municipality in Albany County with 83,000 residents. The town brings its own unique problems, with the majority of its crime occurring around the commercial centers that are an attraction for the region. As the town is a commercial and residential hub within the county, it offers the opportunity to deliver LEAD services to individuals battling opioid, stimulant, and substance abuse issues that do not fall in the urban areas of the county. Piloting LEAD in Colonie or one of the more rural municipalities served by the Albany County Sheriff ensures that our program can be accessible to all county residents regardless of where they call home.

Due to the current financial climate, several municipalities have already cut budgets through personnel reductions, including one municipal police department's elimination of its police chief. To ensure that Albany LEAD can welcome new partners to the table, we are requesting additional funding for overtime costs for future participants. These funds would allow new municipal partners to ensure their deputies/police officers to participate in the OWG meetings. OWG meetings are essential as they allow officers to have much more buy-in, see the value of LEAD by learning the outcomes of their diversions, and receive more recognition for their participation with LEAD. Albany Police Department (APD) has always been vocal about the importance of attending the OWG, as many police officers were skeptical of LEAD until they used the OWG to see the positive results. APD budgets \$10,000 annually for overtime related to OWG meetings, a commitment to secure funding going into the future.

An additional essential component of expanding is the LEAD Community Engagement and Outreach Coordinator (CEOC). This position has always been identified as essential to LEAD operations, however, due to federal budget cuts, the City of Albany was unable to continue funding this position using Community Development Block Grants. The LEAD Community Engagement/Outreach Coordinator (CEOC) is expected to develop a strong, positive, and effective working relationship with the LEAD Project Manager, as well as the PCG and OWG, service providers and community members in order to promote a dynamic relational process that facilitates communication, interaction, involvement and exchanges between LEAD and the community it purports to serve for a range of organizational outcomes including criminal justice diversion, reduction of racial disparity, strong and effective case management, reduction in mass incarceration, and public safety. We are requesting funding for three years of salary and fringe to support a CEOC located in the South End of Albany, a QOZ with a high percentage of LEAD diversions.

Information about LEAD operations, policies, data collection and use, and stakeholder involvement must be openly shared in a way that protects client privacy. The CEOC must work with stakeholders to create a plan of operation to educate community residents and stakeholders about LEAD and its goals, objectives, and operations, and invite and receive input and feedback from them in a caring, open, and transparent manner. Such a plan will include instructions on how to organize a functional and representative Community Leadership Team, composed of community residents and those most directly impacted by the criminal justice system and LEAD diversion. The CEOC will work closely with and supervise additional outreach staff, volunteers, interns, and community residents to develop and execute community outreach and involvement that will keep residents informed so that they can provide steady and useful input about LEAD

and its operations. To support programs that educate and engage the community and the all-volunteer community leadership team, program supplies such as food, drinks, refreshments as well as the cost of venues for meetings, workshops, symposiums, etc. are needed by the Community Engagement outreach coordinator.

The Office of the Albany County District Attorney has played an integral part in Albany LEAD since its inception. An Assistant District Attorney (ADA) and District Attorney Investigator attend the OWG meetings while senior DA staff attend the PCG meetings. These resources have previously been offered pro bono. The recent 2020 Criminal Justice Reforms have increased workloads exponentially across the spectrum of the District Attorney Office's employees. These reforms, coupled with the prospect of Albany LEAD expanding countywide would require a full-time ADA and Investigator dedicated to operational duties for LEAD clients. These two positions will be required to interface with multiple law enforcement agencies and local courts to de-conflict and shepherd clients' cases across numerous jurisdictions. Specifically, the Assistant District Attorney involved with LEAD will continue to attend the LEAD Workgroup weekly meetings, Policy Workgroup meetings, and provide input into each LEAD client's case whenever possible. While the Case Managers assist with the physical and emotional needs of the clients, the ADA works with the Case Managers to deal with the clients pending legal cases - either the LEAD offense itself or other outstanding charges and warrants that the LEAD client has pending countywide. The ADA inputs into the LEAD clients' cases by interfacing with other ADA colleagues in the office in an effort to bring the LEAD client into compliance with warrants, appearances, and all outstanding matters. This coordination aims to strategize the entire legal situation of the LEAD client to result in a successful outcome that will

take the defendant out of the Criminal Justice System now that the client is getting the community support they need to live independent, law-abiding lives.

A final key component in the LEAD program is the Program Director. As stated before, this is a vital position that ensures that Growing LEAD is a success. While funding has been secured through the middle of 2021, we need to ensure that the position remains funded for years to come until additional sources of revenue can be identified. The Touhey Foundation is covering the salary and fringe of this position from June 2020 to May 2021. Albany LEAD requests that the remainder of 2021, 50% of the position, is covered through the COSSAP grant. The Albany County Executive has agreed to cover 50% of the salary and fringe for this position, about \$50,000 annually, for subsequent years. Until other funds can be identified, Albany LEAD is requesting the remaining half of salary and fringe in years two and three of this grant. The Project Director would provide day to day maintenance and troubleshooting of LEAD as designed, implemented and in coordination with the PCG. They would also facilitate the biweekly OWG with key operational partners in LEAD, leading discussions on referral criteria, program capacity and compliance with the LEAD protocol, and to focusing the attention of LEAD program staff and law enforcement in particular areas viewed with concern by neighborhood representatives. Furthermore, the Program Director would identify, write and submit grants, lead project implementation in new county jurisdictions, work with the CEOC to ensure public communication, and conduct other duties as assigned by the PCG.

Capabilities and Competencies

While increasing capacity and expanding geographically are **Growing LEAD's** immediate goals, Albany LEAD views these steps as a means to secure a sustainable long term future of providing LEAD services. In March of 2020 the first step to that stabilization was made by securing funding for the new, dedicated Project Director. Rather than relying on the former advisory member for sharing one of their staff, this new Project Director will be fully dedicated to Albany LEAD. The Project Director will also be a source of funding as their duties will now include grant writing for Albany LEAD. In the past, the PCG was reliant on the Project Director for charting the path in terms of policy and programming. Now, with realizing the mistakes of the past, the PCG has realized that they must chart Albany LEAD's course themselves using the Program Director as a tool to achieve that goal. The Program Director will be able to provide much-needed coordination between partners, provide research on policy issues, and administer programmatic requirements.

To accomplish the goals above, Albany LEAD has identified the following **objectives and targets** for its Growing LEAD project:

- Reduce opioid deaths, hospitalizations, and Naloxone administration within the Albany LEAD service area
- Increase the number of LEAD clients through more diversions and increased case managers
- Reduce criminal justice costs to LEAD participants
- Increase employment for LEAD clients
- Utilize the CEOC to increase communication between law enforcement entities and the communities they serve
- Expand to new service areas

To accomplish the above targets, several short and long term goals have been identified:

Short Term (Next 6 Months)

- Hire a Program Director
- Hold training for all LEAD signatory members organized by LSNB
- Conduct a data study on the diversions and cases to date
- Identify a new municipal law enforcement agency as a pilot agency outside of the City of Albany

Intermediate (2021-2022)

- Hire additional staff (CEOC, LEAD ADA, Case Managers)
- Engage in enhanced community outreach
- Begin planning an implementing LEAD in the identified municipality
- Identify additional revenue sources
- Expand data collection and conduct a more in-depth study

Long Term (2022 and on)

- Identify and additional Albany County municipalities interested in LEAD
- Investigate and possibly implement social contact referrals
- Decrease opioid abuse and recidivism (proven through long term data)

Albany LEAD has learned the hard way that it cannot rely on outside funding for essential items such as its Program Director, case management, or Community Engagement and Outreach Coordinator. Going forward, several of the PCG members have committed to directly funding these essential items in addition to the expenses they already incur for supporting LEAD. APD has committed to the sustainment of LEAD through annual budgeted funds for overtime expenses relating to LEAD, specifically the OWG. Additionally, the Albany County Executive has committed 50% of the Program Director's salary and fringe. Rather than a one-shot injection of funds, this funding would be budgeted into the County's annual budget ensuring a sustainable stream of support. As the Program Director is arguably the most important position within Albany LEAD, this is a great step forward in securing the future success of LEAD. Other signatory members are looking into long-term funding as well. Additionally, the Program Director will be pivotal in leveraging new funds through grant opportunities. Since Albany

LEAD is a partnership between multiple agencies with multiple other roles, we have lacked the capacity to identify and apply for many grant opportunities. A dedicated Program Director will rectify this problem as their entire mission will be focused on the success of LEAD.

Financial considerations are not the only important measure of sustainability. To ensure the programmatic sustainability of Albany LEAD, we need to increase our quantitative and qualitative evaluation of Albany LEAD to date. Through Albany Police Department's connection to the Capital Region Crime Analysis Center (CRCAC), Albany LEAD has been able to track diversions by race, gender, and location. Separately, we have tracked the psychosocial driver for the diversion as well as the reasons for not diverting individuals, which has proven very important in identifying any programmatic or personal bias in the process.

Data Collection

Albany LEAD is committed to a data-driven approach to measuring success. The Program Director will be pivotal in the collection and analysis of all data surrounding Growing LEAD. Albany LEAD collects a wide series of data ranging from diversions to successful housing placements. Unfortunately, many of our departments operate in silos. A dedicated Program Director will focus on increasing communication between PCG members to ensure that the data is viewed as a whole rather than individually. The CEOC will also be pivotal in data collection, specifically the qualitative data. Since losing the Community Development Block Grant, and subsequently the CEOC, communication is mostly one way between Albany LEAD and the communities it serves. The CEOC will open up communication by soliciting a view of LEAD from community members. Often, we have seen numbers tell different stories than people, and

we want to make sure that people's opinions about LEAD are being factored into policy decisions.

As mentioned previously, Albany LEAD has a close relationship with the CRCAC for data analytics. The CRCAC is staffed with crime analysts along with sworn members of the Albany Police Department, Albany County Sheriff's Office, Albany County Probation Department, and the New York State Police. The Center provides real-time analysis, criminal intelligence and other relevant information to enhance the capacity of law enforcement within the Capital District to reduce Part I Crime within their respective communities and provide technical assistance in data collection and analysis. Intelligence-based policing efforts under the Gun Involved Violence Elimination (GIVE) initiative are funded through the New York State Department of Criminal Justice Services, which has been nationally recognized for using technology to enhance public safety.

Additionally, Albany LEAD has worked with the Finn Institute and the State University of New York, Albany for combined quantitative and qualitative analysis. The most important part of these studies are the resulting policy implications. As Albany LEAD is committed to evolving with the growth of LEAD, we realize that while our intent is correct the outcome may be skewed. In 2018 the LEAD PCG was made aware that it was disproportionately diverting whites over people of color. This was less about officer discretion than it was the framework of LEAD, with diversion criteria being biased against people of color. By using data collection and analyzation, Albany LEAD was able to expand the diversion criteria to be more equitable for diversions. Going into the future, Albany LEAD is committed to using data to ensure that it is providing the best services possible to LEAD clients.

Budget Detail - Year 3

Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N							Yes		
(DOJ Financial Guide, Section 3.10)									
A. Personnel									
Name		Position	Computation						
List each name, if known.		List each position, if known.	Show annual salary rate & amount of time devoted to the project for each name/position.						
			Salary	Rate	Time Worked (# of hours, days, months, years)	Percentage of Time	Total Cost	Non-Federal Contribution	Federal Request
		LEAD Assistant District Attorney	\$75,550.00	yearly	1	50%	\$37,775		\$37,775
		Program Director	\$75,000.00	yearly	1	50%	\$37,500		\$37,500
		Future Law Enforcement Partners	\$50.00	hourly	100	100%	\$5,000		\$5,000
		Albany Police Officer, Training Overtime	\$54.24	hourly	100	100%	\$5,424		\$5,424
		Albany Police Officers, Outreach Overtime	\$54.24	hourly	145	100%	\$7,865		\$7,865
Madrid, Tara		Case Manager	\$38,000.00	yearly	1	100%	\$38,000		\$38,000
		Case Manager	\$38,000.00	yearly	1	100%	\$38,000		\$38,000
		Case Manager	\$38,000.00	yearly	1	50%	\$19,000		\$19,000
Macy, Diana		LEAD Coordinator	\$48,000.00	yearly	1	20%	\$9,600		\$9,600
Ellis, Candace		Director of Special Projects	\$60,000.00	yearly	1	5%	\$3,000		\$3,000
		Community Engagement/ Outreach Coordinator	\$50,000.00	yearly	1	100%	\$50,000		\$50,000
						Total(s)	\$251,164	\$0	\$251,164
Narrative									

With the geographic expansion of Albany LEAD to additional jurisdictions in the county, Albany LEAD may need to provide financial incentive to ensure municipalities can afford to introduce LEAD into their law enforcement agencies. To do this, Albany LEAD intends to provide overtime hours for police officers attending the Operational Work Group (OWG). The OWG provides frontline staff the opportunity to follow LEAD cases from diversion through case management. This is a vital component, especially for the diverting officer, as it provides tangible results to the diversion. Officers can see the success from diverting an offender and feel validation to participating in the program. For Albany Police Officers, this was a key component in changing from skepticism to fully embracing the LEAD model. We anticipate 50 hours of participation in the first year, with overtime growing as participation expands in years two and three. An Assistant District Attorney (ADA) and District Attorney Investigator attend the Work Group Meetings. These resources have previously been offered pro bono. The recent 2020 Criminal Justice Reforms have increased workloads exponentially across the spectrum of District Attorney Office's employees. These reforms, coupled with the prospect of Albany LEAD expanding countywide would require a full time ADA and Investigator dedicated to operational duties for LEAD clients. These two positions will be required to interface with multiple law enforcement agencies and local courts to de-conflict and shepherd clients' cases across numerous jurisdictions. Specifically, the Assistant District Attorney involved with LEAD will continue to attend the LEAD Workgroup weekly meetings, Policy Workgroup meetings and provide inputs into each LEAD client's case whenever possible. The ADA inputs into the LEAD clients cases by interfacing with other ADA colleagues in the office in an effort to bring the LEAD client into compliance with warrants, appearances and all outstanding matters. This coordination aims to strategizing the entire legal situation of the LEAD client to result in a successful outcome that will take the defendant out of the Criminal Justice System now that the client is getting the community support they need to live independent, law abiding lives. 25% of this position will be covered by the Albany County District Attorney in year 3. The LEAD Program director in years 2 and 3 will be subsidized by Albany County at a rate of 50% of salary and fringe. The Program Director will provide day to day maintenance of LEAD in coordination with the PCG. They will also facilitate the biweekly OWG with key operational partners in LEAD. Furthermore, the Program Director will identify, write and submit grants, lead project implementation in new county jurisdictions, work with the CEOC to ensure public communication, and conduct other duties as assigned by the PCG. We estimate that APD will incur approximately 432 hours of overtime costs attending related collaboration meetings, conducting police outreach, participating in community engagement events and completing necessary administrative report documentation. Outreach activities are crucial in assisting case management with locating hard to reach clients. Community engagement encompasses a wide range of events that officers attend in order to build and maintain relationships related to the intersections of criminal justice and public health issues. We estimate that APD will incur approximately 288 hours of overtime cost training and providing technical assistance related to the LEAD program. Training law enforcement agencies	
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Purpose Area #4

on the LEAD Program core principles and best practices will be crucial in establishing successful operations. APD will then be able to provide on-going assistance to local law enforcement agencies via open lines of communications and networking events.

Overtime rates for department personnel vary depending on rank and length of service in the department. The overtime rate for a patrol officer is \$47.61/hour, sergeant \$55.05/hour and lieutenant \$60.06/hour, which when averaged out equals \$54.24.

The Case Managers are a vital component of LEAD and provide the bulk of assistance to LEAD clients following the diversion from law enforcement. These Case Managers have been overburden in the past and additional funding would double Albany LEAD's caseload capacity. Case managers assist LEAD clients in a litany of areas from navigating housing and social services to ensuring they attend their outpatient drug detox services. Overseeing these Case Managers is the LEAD Coordinator which will receive continued funding through additional streams. The 20% funding for this position would ensure that services continue and that Case Managers are properly managed in providing services. This will be especially important when Albany LEAD begins to expand geographically which will require more coordination for travel, communication with additional municipal law enforcement agencies, and criminal justice/social service entities that are outside of the geographic boundaries of the City of Albany. The Director of Special Projects likewise will provide assistance as Case Managers begin to increase caseloads and provide services to new jurisdictions in Albany County. This position will be able to leverage the various connections they have in the community and use their knowledge gained through other novel projects to ensure LEAD's expansion is on track to a successful implementation. Finally, the Executive Director is a key member of the Policy Coordinating Group (PCG) that essentially represents case management as a whole for LEAD clients. This position's role in the PCG is vital to a holistic understanding of LEAD following the diversion of the client.

The LEAD Community Engagement/Outreach Coordinator (CEOC) is expected to develop a strong, positive, and effective working relationship with the LEAD Project Manager, as well as Policy and Operations Work groups, service providers and community members in order to promote a dynamic relational process that facilitates communication, interaction, involvement and exchanges between LEAD and the community it purports to serve for a range of organizational outcomes including criminal justice diversion, reduction of racial disparity, strong and effective case management, reduction in mass incarceration, and public safety. As Information about LEAD operations, policies, data collection and use, and stakeholder involvement must be openly shared in a way that protects client privacy the CEOC must work with stakeholders to must create a plan of operation to educate community residents and stakeholders about LEAD and its goals, objectives, and operations, and invite and receive input and feedback from them in an caring, open and transparent manner. Such a plan will include instructions on how to organize a functional and representative Community Leadership Team composed of community residents and those most directly impacted by the criminal justice system and LEAD diversion. The CEOC will work closely with and supervise additional outreach staff, volunteers, interns, and community residents to develop and execute community outreach and involvement that will keep residents informed so that can provide steady and useful input about LEAD and its operations.

B. Fringe Benefits						
Name		Computation				
<i>List each grant-supported position receiving fringe benefits.</i>		<i>Show the basis for computation.</i>				
	Base	Rate	Total Cost	Non-Federal Contribution	Federal Request	
LEAD Assistant Attorney	\$37,885.00	25.00%	\$9,472		\$9,472	
Program Director	\$25,000.00	25.00%	\$6,250		\$6,250	
Case Manager	\$38,000.00	29.00%	\$11,020		\$11,020	
Case Manager	\$38,000.00	29.00%	\$11,020		\$11,020	
Case Manager	\$19,000.00	29.00%	\$5,510		\$5,510	
LEAD Coordinator	\$9,600.00	29.00%	\$2,784		\$2,784	
Director of Special Projects	\$3,000.00	29.00%	\$870		\$870	
Community Engagement/Outreach Coordinator	\$50,000.00	22.00%	\$11,000		\$11,000	
Total(s)			\$57,926	\$0	\$57,926	
Narrative						
Disbursements incurred by the employer for the benefit of its employees and include the costs, as an employer, of Social Security, Worker's Compensation, Unemployment Insurance, paid time off and the employer's contribution to additional employee benefits which may be provided as part of the employee "contract" such as health insurance and other benefits.						
50% of fringe will be covered by the County Executive for the Program Director and 50% of Assistant District Attorney by the District Attorney.						

Purpose Area #4

C. Travel										
Purpose of Travel	Location	Type of Expense	Basis	Computation						
Indicate the purpose of each trip or type of trip (training, advisory group meeting)	Indicate the travel destination.	Lodging, Meals, Etc.	Per day, mile, trip, Etc.	Compute the cost of each type of expense X the number of people traveling.						
				Cost	Quantity	# of Staff	# of Trips	Total Cost	Non-Federal Contribution	Federal Request
Case Manager Travel	Albany County	Local Travel	N/A	\$130.00	1	4	12	\$6,240		\$6,240
Outreach activities	Albany County	Local Travel	N/A	\$30.00	1	2	52	\$3,120		\$3,120
				Total(s)						
				\$9,360						
				\$0						
				\$9,360						
Narrative										
It is expected that the Program Director and the Community Engagement Outreach coordinator will be given a transportation budget of \$30.00 per week for local travel within the City of Albany, NY to carry out outreach activities in the community.										
Case Managers travel very often to assist LEAD clients to ensure soft hand offs to substance abuse providers, mental health counselors, job interviews and social services appointments. Many do so with the use of their personal vehicles, which mileage for work use is documented.										

D. Equipment						
Item		Computation				
List and describe each item of equipment that will be purchased		Compute the cost (e.g., the number of each item to be purchased X the cost per item)				
		# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
		Total(s)			\$0	\$0
Narrative						

E. Supplies						
Supply Items		Computation				
Provide a list of the types of items to be purchased with grant funds.		Describe the item and the compute the costs. Computation: The number of each item to be purchased X the cost per item.				
		# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request
	general office supplies, (i.e. pens, staples, paper clips, white out, etc)	1	\$1,000.00	\$1,000		\$1,000
	Ink for printer	7	\$120.00	\$840		\$840
	Copy/printer Paper	10	\$30.00	\$300		\$300
				Total(s)	\$2,140	\$2,140
Narrative						
The office supplies would be purchased for use by the Community Engagement Outreach Coordinator and Case Managers to carry out essential functions and duties of the position. The cost of supplies is based on actual cost to purchase supplies new.						

F. Construction						
Purpose <i>Provide the purpose of the construction</i>	Description of Work <i>Describe the construction project(s)</i>	Computation <i>Compute the costs (e.g., the number of each item to be purchased X the cost per item)</i>				
		# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
				Total(s)	\$0	\$0
Narrative						

G. Subawards (Subgrants)									
Description		Purpose	Consultant?						
Provide a description of the activities to be carried out by subrecipients.		Describe the purpose of the subaward (subgrant)	Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.						
				Total Cost	Non-Federal Contribution	Federal Request			
						\$0			
Total(s)									
\$0									
Consultant Travel (if necessary)									
Purpose of Travel	Location	Type of Expense	Computation						
Indicate the purpose of each trip or type of trip (training, advisory group meeting)	Indicate the travel destination.	Hotel, airfare, per diem	Compute the cost of each type of expense X the number of people traveling.						
			Cost	Duration or Distance	# of Staff	Total Cost	Non-Federal Contribution	Federal Request	
						\$0		\$0	
					Total	\$0	\$0	\$0	
Narrative									

H. Procurement Contracts						
Description	Purpose	Consultant?				
Provide a description of the products or services to be procured by contract and an estimate of the costs. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold (currently \$150,000).	Describe the purpose of the contract	Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.				
			Total Cost	Non-Federal Contribution	Federal Request	
					\$0	
			Total(s)	\$0	\$0	
Consultant Travel (if necessary)						
Purpose of Travel	Location	Type of Expense	Computation			
Indicate the purpose of each trip or type of trip (training, advisory group meeting)	Indicate the travel destination.	Hotel, airfare, per diem	Compute the cost of each type of expense X the number of people traveling.			
			Cost	Duration or Distance	# of Staff	Total Cost
						\$0
						\$0
			Total		\$0	\$0
Narrative						

I. Other Costs								
Narrative	Description	Computation						
	List and describe items that will be paid with grants funds (e.g. rent, reproduction, telephone, janitorial, or security services, and investigative or confidential funds).	Show the basis for computation						
	Quantity	Basis	Cost	Length of Time	Total Cost	Non-Federal Contribution	Federal Request	
	Cell Phone Stipend	3	monthly	\$25.00	12	\$900		\$900
	Case Manager Office Space	1	monthly	\$150.00	12	\$1,800		\$1,800
	Community Outreach Coordinator Office Space	1	monthly	\$275.00	12	\$3,300		\$3,300
		Total(s)				\$6,000	\$0	\$6,000

Purpose Area #4

A cell phone stipend is used to offset the costs to case managers. Call often do not fall during the 9 to 5 hours of the work day and case managers use their own phones to offset costs. The case managers will also require additional office space

Program supplies are supplies needed by the Community Engagement outreach coordinator used to support programs to educate and engage the community and the all volunteer community leadership team, such as food and drinks, refreshments, and the cost of venues for meetings, workshops, symposiums etc. Janitorial services are cleaning services to keep the community engagement outreach coordinator's office and common space clean and sanitized to ensure a health environment for participants, employees, interns, volunteers and others. Rent is the amount of money paid for the use of the community engagement outreach coordinator's office space, bathroom facilities, meeting space, breakroom and other common areas and includes all utilities.

J. Indirect Costs						
Description		Computation				
Describe what the approved rate is and how it is applied.		Compute the indirect costs for those portions of the program which allow such costs.				
	Base	Indirect Cost Rate	Total Cost	Non-Federal Contribution	Federal Request	
			\$0		\$0	
		Total(s)	\$0	\$0	\$0	
Narrative						



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

June 3, 2020

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

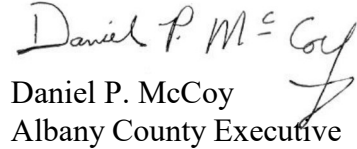
On behalf of the Albany County Public Defender, Alternate Public Defender, and Assigned Counsel Program, I am requesting authorization to amend a contract with New York Office of Indigent Legal Services (ILS) for implementation of the Statewide Expansion of the Hurrell-Harring settlement. Since taking office I have been a strong advocate for reforms to the indigent legal services program and have pushed for Counties to receive additional funding from New York State. In 2017, NYS committed to expanding the Hurrell-Harring settlement to all counties in the state by providing \$250 million over five years to bring indigent defense services up to the standards set in the 2014 settlement. The key provisions of statewide expansion include ensuring defendants are represented by counsel at arraignments, establishing caseload standards for providers, and improving quality of representation via training, supervision, and access to experts.

To meet the standards established in Hurrell-Harring, Albany County will be receiving \$26,264,402.19, beginning with \$1,750,920.29 in 2019 and increasing on an annual basis. Funding is shared between the Public Defender, Alternate Public Defender, and Assigned Counsel Program based on caseload data submitted by each provider. Albany County's second year plan was recently approved by the NYS Office of Indigent Legal Services (ILS), and authorization is needed to amend our contract to reflect the finalized year two budget. The majority of the year two funding was included in the 2020 Albany County Adopted Budget. The attached budget amendments reflect the minor changes to each Department's Budget that were made while finalizing our proposal to NYSILS. Funding will support added personnel (attorneys, support staff, and experts), contractual expert services, onboarding expenses, training, mentoring, IT and software improvements, attorney resources, and other investments that help

the County meet the standards discussed above. Reimbursement for all expenses included in the County's annual work plans will be provided on a quarterly basis. Statewide Expansion is 100 percent state funded, there is no County share.

If you should have any questions, please do not hesitate to contact me.

Sincerely

A handwritten signature in dark ink that reads "Daniel P. McCoy". The signature is fluid and cursive, with the first name "Daniel" and last name "McCoy" being clearly legible, and "P." in the middle.

Daniel P. McCoy
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

112 State Street
Albany, NY 12207

Legislation Text

File #: TMP-1690, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract and Budget Amendment - Year Two of Hurrell-Harring Statewide Implementation

Date: 5/29/2020
Submitted By: Lucas Rogers
Department: Office of the County Executive
Title: Senior Policy Analyst
Phone: 518-447-5566
Department Rep.
Attending Meeting: Lucas Rogers

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☒ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☒ Contractual
- ☒ Equipment
- ☒ Fringe
- ☒ Personnel
- ☐ Personnel Non-Individual
- ☒ Revenue

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Increase Account/Line No.: 4071 Property Repair and Rental 4310 Second Chair Program 9935
Law Intern Program 4306 Mentor Program 4046 Fess For Services 4300 Association Dues 4040
Books/Transcripts/Subscripts 4300 Association Dues 4038 Travel-Mileage, Freight
Source of Funds: NYSILS Statewide Implementation Grant Funding
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☒ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New York State Office of Indigent Legal Services
Alfred E Smith Building
80 South Swan Street
11th Floor
Albany, NY 12210

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.

Scope of Services: Funding to facilitate the implementation of programs focused on quality improvement of services, caseload relief, and counsel at arraignment as per the Hurrell-Harring settlement reforms.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Please See Attached

Appropriation Amount: Please See Attached

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 100%

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) April 1, 2018 - March 31, 2023

Length of Contract: 5 Years

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution 151 for 2019

Date of Adoption: 4/8/2019

Justification: (state briefly why legislative action is requested)

On behalf of the Albany County Public Defender, Alternate Public Defender, and Assigned Counsel Program, I am requesting authorization to amend a contract with New York Office of Indigent Legal Services (ILS) for implementation of the Statewide Expansion of the Hurrell-Harring settlement. Since taking office I have been a strong advocate for reforms to the indigent legal services program and have pushed for Counties to receive additional funding from New York State. In 2017, NYS committed to expanding the Hurrell-Harring settlement to all counties in the state by providing \$250 million over five years to bring indigent defense services up to the standards set in the 2014 settlement. The key provisions of statewide expansion include ensuring defendants are represented by counsel at arraignments, establishing caseload standards for providers, and improving quality of representation via training, supervision, and access to experts.

To meet the standards established in Hurrell-Harring, Albany County will be receiving \$26,264,402.19, beginning with \$1,750,920.29 in 2019 and increasing on an annual basis. Funding is shared between the Public Defender, Alternate Public Defender, and Assigned Counsel Program based on caseload data submitted by each provider. Albany County's second year plan was recently approved by the NYS Office of Indigent Legal Services (ILS).and authorization is needed to amend our contract to reflect the finalized year two budget. The 128

majority of the year two funding was included in the 2020 Albany County Adopted Budget. The attached budget amendments reflect the minor changes to each Department's Budget that were came about while finalizing our proposal to NYSILS. Funding will support added personnel (attorneys, support staff, and experts), contractual expert services, onboarding expenses, training, mentoring, IT and software improvements, attorney resources, and other investments that help the County meet the standards discussed above. Reimbursement for all expenses included in the County's annual work plans will be provided on a quarterly basis. Statewide Expansion is 100 percent state funded, there is no County share.

APPROPRIATIONS					
ACCOUNT NO.		RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST
AA 1171	4 4046	Fess For Services		6,500.00	60,817.00
AA 1171	4 4300	Association Dues	6,500.00		6,500.00
TOTAL APPROPRIATIONS			6,500.00	6,500.00	
ESTIMATED REVENUES					
ACCOUNT NO.		RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST
TOTAL ESTIMATED REVENUES			0.00	0.00	
GRAND TOTALS			6,500.00	6,500.00	

DEPARTMENT NAME

DEPARTMENT NAME

APPROPRIATIONS					
ACCOUNT NO.		RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST
AA 1172	4	4071			
AA 1172	4	4310		29,371.00	0.00
		Property Repair and Rental Second Chair Program	29,371.00		29,371.00
AA 1172	1	9935			
AA 1172	4	4306		28,800.00	0.00
		Law Intern Program Mentor Program	28,800.00		28,800.00
TOTAL APPROPRIATIONS			58,171.00	58,171.00	
ESTIMATED REVENUES					
ACCOUNT NO.		RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST
TOTAL ESTIMATED REVENUES			0.00	0.00	
GRAND TOTALS			58,171.00	58,171.00	

DEPARTMENT NAME

DEPARTMENT NAME

APPROPRIATIONS					
ACCOUNT NO.		RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST
AA 1170	4 4040	Books/Transcripts/Subscripts	5,000.00		55,450.00
AA 1170	4 4300	Association Dues	5,000.00		5,000.00
AA 1170	4 4038	Travel-Mileage, Freight		10,000.00	5,000.00
TOTAL APPROPRIATIONS			10,000.00	10,000.00	
ESTIMATED REVENUES					
ACCOUNT NO.		RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST
TOTAL ESTIMATED REVENUES			0.00	0.00	
GRAND TOTALS			10,000.00	10,000.00	

DEPARTMENT NAME

DEPARTMENT NAME

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY (Name & Address): NYS Office of Indigent Legal Services A. E. Smith Building, 11th Floor 80 South Swan Street Albany, NY 12210	BUSINESS UNIT/DEPT. ID: OLS01 1350200 CONTRACT NUMBER: CSTWIDEHH01 CONTRACT TYPE: ☒ Multi-Year Agreement ☐ Simplified Renewal Agreement ☐ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: Albany, County of	TRANSACTION TYPE: ☐ New ☐ Renewal ☒ Amendment
CONTRACTOR DOS INCORPORATED NAME:	PROJECT NAME: Statewide Expansion of Hurrell-Harring
CONTRACTOR IDENTIFICATION NUMBERS: NYS Vendor ID Number: 1000002428 Federal Tax ID Number: 14-6002563 DUNS Number (if applicable):	AGENCY IDENTIFIER: CFDA NUMBER (Federally funded grants only):
CONTRACTOR PRIMARY MAILING ADDRESS: County of Albany Public Defender's Office 60 South Pearl Street, 4th Floor Albany, NY 12207 CONTRACTOR PAYMENT ADDRESS: ☐ Check if same as primary mailing address County of Albany Dept. of Management and Budget 112 State Street, Suite 900 Albany, NY 12207 CONTRACTOR MAILING ADDRESS: ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: 010100000000 ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: Exemption Status/Code: ☐ Sectarian Entity

Contract Number: CSTWIDEHH01

Page 1 of 3

Master Grant Contract, Face Page

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM: From: April 1, 2018 To: March 31, 2023 CURRENT CONTRACT PERIOD: AMENDED TERM: From: To: AMENDED PERIOD: From: To:	CONTRACT FUNDING AMOUNT (<i>Multi-year</i> – enter total projected amount of the contract; <i>Fixed Term/Simplified Renewal</i> – enter current period amount): CURRENT: \$26,264,402.19 AMENDED: FUNDING SOURCE(S): ☒ State ☐ Federal ☐ Other																														
FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT: (Out years represent projected funding amounts)																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">#</th> <th style="width: 25%;">CURRENT PERIOD</th> <th style="width: 25%;">CURRENT AMOUNT</th> <th style="width: 25%;">AMENDED PERIOD</th> <th style="width: 20%;">AMENDED AMOUNT</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>		#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT	1					2					3					4					5				
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ATTACHMENTS PART OF THIS AGREEMENT: ☐ Attachment A: ☐ A-1 Program-Specific Terms and Conditions ☐ A-2 Federally Funded Grants and Requirement Mandated by Federal Laws ☒ Attachment B: ☒ B-1 Expenditure Based Budget ☐ B-2 Performance Based Budget ☐ B-3 Capital Budget ☐ B-4-Net Deficit Budget ☐ B-1(A) Expenditure Based Budget (Amendment) ☐ B-2(A) Performance Based Budget (Amendment) ☐ B-3(A) Capital Budget (Amendment) ☐ B-4(A) Net Deficit Budget (Amendment) ☒ Attachment C: Work Plan ☐ Attachment D: Payment and Reporting Schedule ☐ Other:																															

IN WITNESS THEREOF, the parties hereto have executed or approved this Master Contract on the dates below their signatures.

CONTRACTOR:

By: _____

Printed Name

Title: _____

Date: _____

STATE AGENCY:

NYS Office of Indigent Legal Services

By: William J. Leahy

William J. Leahy

Printed Name

Title: Director – Office of Indigent Legal Services

Date: 5/12/20

STATE OF NEW YORK

County of _____

On the _____ day of _____, _____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she resides at _____, that he/she is the _____ of the _____, the contractor described herein which executed the foregoing instrument; and that he/she signed his/her name thereto as authorized by the contractor named on the face page of this Master Contract.

(Notary) _____

ATTORNEY GENERAL'S SIGNATURE

N/A

Printed Name

Title: _____

Date: _____

STATE COMPTROLLER'S SIGNATURE

N/A

Printed Name

Title: _____

Date: _____

Contract Number: CSTWIDEHH01

Page 3 of 3

Master Grant Contract, Face Page

ATTACHMENT A

PROGRAM SPECIFIC TERMS AND CONDITIONS

STATEWIDE EXPANSION OF HURRELL-HARRING

I. Notices

All written notices made pursuant to this Agreement shall be delivered to the addresses set forth below.

Notification to the Office of Indigent Legal Services (ILS):

Office of Indigent Legal Services
A. E. Smith Office Building, 11th Floor
80 South Swan Street
Albany, NY 12210

Notification to County and New York City ("County"):

Daniel P. McCoy
Albany County Executive
112 State Street, Suite 200
Albany, NY 12207
(518) 447-7040
Daniel.McCoy@albanycounty.com

II. Supplanting Funds.

The amounts paid to County by ILS pursuant to this Agreement shall be used to supplement and not supplant any state or local funds, as defined in paragraph (c) of subdivision 2 of section 98-b of the State Finance Law, which such County would otherwise have had to expend for the provision of counsel and expert, investigative and other services pursuant to article eighteen-B of the County Law. In the event funds are used to supplant local funds, such funds actually provided by ILS shall be returned to ILS by County.

III. Collect and Report Data.

County will be required to collect and report data to ILS on an annual basis, or as otherwise specified by ILS, in written form, as determined by ILS, which data will be used to analyze and measure implementation, compliance and outcomes under the three statewide plans (counsel at arraignment, quality improvement and caseload relief).

IV. Extensions.

The terms of this Agreement may be extended only by mutual written consent of the parties and approval of the Office of the State Comptroller for a period of not more than 24 months.

ATTACHMENT B-1**BUDGET**

Office of Indigent Legal Services
STATEWIDE EXPANSION OF HURRELL-HARRING
April 1, 2018 - March 31, 2023

COUNTY OF ALBANY

Total Contract Amount: \$26,264,402.19

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
PUBLIC DEFENDER'S OFFICE					
CASELOAD RELIEF					
Personnel:					
Local Court Supervisor	\$85,000.00	\$86,700.00			
Assistant Public Defender I	\$65,000.00	\$66,300.00			
Assistant Public Defender II	\$72,828.00	\$74,284.56			
Assistant Public Defender II	\$72,828.00	\$74,284.56			
Assistant Public Defender III	\$78,030.00	\$79,590.60			
Assistant Public Defender IV	\$83,232.00	\$84,896.64			
Assistant Public Defender V	\$90,000.00	\$91,800.00			
Paralegal	\$44,737.00	\$45,631.74			
Social Services Coordinator	\$55,000.00	\$56,100.00			
Legal Secretary	\$41,616.00	\$42,448.32			
Receptionist	\$35,000.00	\$35,700.00			
Assistant Public Defender II	\$0.00	\$74,284.00			
Assistant Public Defender II	\$0.00	\$74,284.00			
Assistant Public Defender III	\$0.00	\$79,590.00			
Assistant Public Defender III	\$0.00	\$79,590.00			
Assistant Public Defender III	\$0.00	\$79,590.00			
Assistant Public Defender IV	\$0.00	\$84,897.00			
Director of Training	\$0.00	\$85,000.00			
Felony Supervisor	\$0.00	\$85,000.00			
Clerk II	\$0.00	\$45,500.00			
Clerk II	\$0.00	\$45,500.00			
Legal Secretary	\$0.00	\$46,500.00			
Legal Secretary	\$0.00	\$46,500.00			
Fringe Benefits:					
For positions noted above @ 53%	\$383,334.00	\$842,340.00			
Data Officer (Stipend)	\$20,000.00	\$0.00			
Subtotal Personnel	\$1,126,605.00	\$2,406,311.42	\$0.00	\$0.00	\$0.00

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
OTPS:					
Onboarding cost for new positions	\$46,200.00	\$50,400.00			
Subtotal OTPS	\$46,200.00	\$50,400.00	\$0.00	\$0.00	\$0.00
Caseload Relief - Subtotal	\$1,172,805.00	\$2,456,711.42	\$0.00	\$0.00	\$0.00
QUALITY IMPROVEMENT					
Personnel:					
Salary Increase for entry level positions - Parity	\$74,688.48	\$37,344.24			
Salary Increase - Confidential Secretary	\$0.00	\$4,884.00			
Salary Increase - Criminal Investigator	\$0.00	\$8,238.00			
Salary Increase - Criminal Investigator	\$0.00	\$4,402.00			
CAFA Arraignment Attorney Salary Supplement	\$0.00	\$15,000.00			
Law Intern Program	\$0.00	\$10,000.00			
Fringe Benefits for positions noted above	\$0.00	\$37,030.17			
Subtotal Personnel	\$74,688.48	\$116,898.41	\$0.00	\$0.00	\$0.00
Contracted/Consultant:					
Specialized Services (Expert Services)/ Transcription Services	\$26,702.67	\$35,000.00			
Subtotal Contracted/Consultant	\$26,702.67	\$35,000.00	\$0.00	\$0.00	\$0.00
OTPS:					
Computer Equipment	\$35,441.00	\$20,000.00			
Legal Reference Material/Books/Subscriptions	\$25,000.00	\$20,000.00			
Office Supplies	\$0.00	\$4,300.00			
Smartphones/Cell Phones (service fees/ software/hardware)	\$0.00	\$25,000.00			
Photocopier (leasing/maintenance)	\$0.00	\$5,000.00			
Professional/Organization Memberships	\$0.00	\$5,000.00			
Conferences/CLE Trainings/Trainings	\$0.00	\$20,000.00			
Subtotal OTPS	\$60,441.00	\$99,300.00	\$0.00	\$0.00	\$0.00
Quality Improvement - Subtotal	\$161,832.15	\$251,198.41	\$0.00	\$0.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
OTPS:					
Tablets/Computer Software/Wi-Fi	\$23,068.00	\$2,500.00			
Mileage/Travel	\$0.00	\$5,000.00			
Counsel at First Appearance - Subtotal	\$23,068.00	\$7,500.00	\$0.00	\$0.00	\$0.00
PUBLIC DEFENDER'S OFFICE - TOTAL	\$1,357,705.15	\$2,715,409.83	\$0.00	\$0.00	\$0.00
CONFLICT DEFENDER'S OFFICE					
CASELOAD RELIEF					
Personnel:					
Supervision Administrator - Salary	\$45,000.00	\$45,900.00			
Supervision Administrator - Fringe	\$23,850.00	\$0.00			
Mitigation Specialist Attorney	\$0.00	\$73,370.00			
Legal Secretary	\$0.00	\$45,000.00			

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
Salary Increase for Staff Attorney	\$0.00	\$2,027.00			
Fringe Benefits for positions noted above	\$0.00	\$88,137.41			
Subtotal Personnel	\$68,850.00	\$254,434.41	\$0.00	\$0.00	\$0.00
Caseload Relief - Subtotal	\$68,850.00	\$254,434.41	\$0.00	\$0.00	\$0.00
QUALITY IMPROVEMENT					
Contracted/Consultant:					
Investigator Services	\$32,319.00	\$25,819.00			
Specialized Services (Expert Services)/ Transcription Services	\$30,000.00	\$20,000.00			
Subtotal Contracted/Consultant	\$62,319.00	\$45,819.00	\$0.00	\$0.00	\$0.00
OTPS:					
Office Supplies/Computer Equipment	\$8,580.00	\$8,580.00			
Conferences/CLE Trainings/Trainings/Tuition	\$4,381.00	\$4,382.00			
Professional/Organization Memberships	\$0.00	\$6,500.00			
Subtotal OTPS	\$12,961.00	\$19,462.00	\$0.00	\$0.00	\$0.00
Quality Improvement - Subtotal	\$75,280.00	\$65,281.00	\$0.00	\$0.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
Personnel/Contracted/Consultant/OTPS:					
	\$0.00	\$0.00			
Counsel at First Appearance - Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CONFLICT DEFENDER'S OFFICE - TOTAL	\$144,130.00	\$319,715.41	\$0.00	\$0.00	\$0.00

ASSIGNED COUNSEL PLAN

CASELOAD RELIEF					
Personnel:					
Supervising Attorney - Salary	\$85,000.00	\$90,000.00			
Supervising Attorney - Fringe Benefits	\$45,050.00	\$0.00			
Secretary	\$0.00	\$45,000.00			
Data Officer/Grants Manager	\$0.00	\$60,000.00			
Fringe Benefits for positions noted above	\$0.00	\$103,350.00			
Caseload Relief - Subtotal	\$130,050.00	\$298,350.00	\$0.00	\$0.00	\$0.00
QUALITY IMPROVEMENT					
Contracted/Consultant:					
Mentoring Programs/Services	\$28,800.00	\$28,800.00			
Specialized Services (Expert Services)	\$50,000.00	\$50,000.00			
Second Chair Program	\$0.00	\$29,370.05			
Subtotal Contracted/Consultant	\$78,800.00	\$108,170.05	\$0.00	\$0.00	\$0.00
OTPS:					
Continuing Legal Education (CLE) Trgs/Trainings	\$30,000.00	\$30,000.00			
Office Supplies/Furniture	\$4,000.00	\$4,000.00			
Legal Reference Material/Books/Subscriptions	\$4,275.00	\$4,275.00			
Mileage/Travel for ACP staff	\$2,000.00	\$2,000.00			

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
Computer Equipment (hardware & software)	\$0.00	\$20,000.00			
Subtotal OTPS	\$40,275.00	\$60,275.00	\$0.00	\$0.00	\$0.00
Quality Improvement - Subtotal	\$119,075.00	\$168,445.05	\$0.00	\$0.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
Personnel/Contracted/Consultant/OTPS:	\$0.00	\$0.00			
Counsel at First Appearance - Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ASSIGNED COUNSEL PLAN - TOTAL	\$249,125.00	\$466,795.05	\$0.00	\$0.00	\$0.00
Total	\$1,750,960.15	\$3,501,920.29	\$5,252,880.44	\$7,003,840.58	\$8,754,800.73
FIVE-YEAR TOTAL	\$26,264,402.19				

ATTACHMENT C
WORK PLAN
OFFICE OF INDIGENT LEGAL SERVICES
STATEWIDE EXPANSION OF HURRELL-HARRING
APRIL 1, 2018 – MARCH 31, 2023
COUNTY OF ALBANY

Goals, Objectives, and Performance Measures

On a semi-annual basis, each grantee/contractor shall provide the Office of Indigent Legal Services with a written progress report summarizing the work performed during each such semi-annual period. The reports shall detail the grantee/contractor's progress toward attaining the specific goals, objectives and key performance measures as outlined below along with any additional information that may be required by the Office. These program progress reports must be submitted October 31st for the period starting April 1st and ending September 30th and April 30th for the period starting October 1st and ending March 31st.

Program progress reports will continue until such time as the funds subject to this contract are no longer available, have been accounted for, and/or throughout the contract period. The first progress report may be waived if the final approval of the grantee/contractor's contract by the Office of the State Comptroller is within two months of the date such progress report would be due. **(See Attachment D ["Payment and Reporting Schedule"] for written progress report reporting requirements in their entirety.)**

Goal

Implement the provisions of Chapter 59 of the Laws of 2017, Part VVV, sections 11-13, providing that the Office of Indigent Legal Services shall implement a plan to extend statewide the benefits of the Hurrell-Harring settlement reforms.

First Objective

Ensure all eligible criminal defendants are represented by counsel at arraignment, provided that timely arraignment with counsel is not delayed pending a determination of a defendant's eligibility.

Key Performance Measures

1. The number of attorneys hired with this funding who provide representation at arraignment;
2. The number of arraignments handled by each attorney compensated with this funding; and
3. A brief description of all activities funded by this grant under this objective and how those activities have improved the provision of counsel at first appearance.

Second Objective

Full compliance with the caseload standards issued by the Office of Indigent Legal Services.

Key Performance Measures

1. The number of attorneys hired with this funding and the dates of such hires;
2. The number of new cases opened by attorneys compensated with this funding;
3. The number of non-attorneys hired with this funding and the dates of such hires;
4. The name, and date of appointment, of the Data Officer or a description of progress toward appointment of a Data Officer; and
5. A brief description of all activities funded by this grant under this objective and how those activities have reduced caseloads.

Third Objective

Implement initiatives to improve the quality of indigent defense such that attorneys receive effective supervision and training, have access to and appropriately utilize investigators, interpreters and expert witnesses on behalf of clients, communicate effectively with their clients, have the necessary qualifications and experience, and, in the case of assigned counsel attorneys, are assigned to cases in accordance with article 18-b of the county law and in a manner that accounts for the attorney's level of experience and caseload/workload.

Key Performance Measures

1. The number of training events supported by this funding;
2. The number of attorneys whose attendance at training events was supported by this funding;
3. The number of cases in which expert services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services;
4. The number of cases where investigative services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services; and
5. A brief description of all activities funded by this grant under this objective and how those activities have improved the quality of representation provided to clients.

YEAR 1 BUDGET

Public Defender's Office

Personnel:

- **Add a full-time Local Court Supervisor position.** This new position will be responsible for providing representation, supervising and mentoring attorneys, and providing training for trial development skills in criminal cases.
- **Add a full-time Assistant Public Defender I position.** This new, entry-level position will be responsible for handling misdemeanor cases in City Court.
- **Add two (2) full-time Assistant Public Defender II positions.** These new positions will be responsible for handling misdemeanor and felony cases.
- **Add a full-time Assistant Public Defender III position.** This new position will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Add a full-time Assistant Public Defender IV position.** This new position will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Add a full-time Assistant Public Defender V position.** This new position will be responsible for serious and violent felony cases.
- **Add a full-time Paralegal position.** This new position will be responsible for drafting motions and performing legal research in criminal cases.
- **Add a full-time Social Services Coordinator position.** This new position will be responsible for assisting clients in criminal cases with various needs, connecting with social workers and case managers, assisting with program eligibility, and other resources.
- **Add a full-time Legal Secretary position.** This new position will be responsible for assisting attorneys with administrative tasks, including opening and closing files, Case Management System data entry, among other tasks in criminal cases.
- **Add a full-time Receptionist position.** This new position will be responsible for addressing inquiries from clients, the court, and the general public in criminal cases.
- **Provide a salary increase for eight (8) attorney positions.** The salary increase will raise the lowest salaried attorney positions to the new entry-level amount of \$65,000.00 to be able to retain current employees and attract high-quality candidates.

- **Provide a stipend for the Data Officer position.** An existing employee will assume the additional responsibility of liaising with ILS on behalf of the County for all providers and operationalizing the data requirements; current responsibilities of this employee will be shifted to other staff.

Contracted/Consultant:

- **Enhance the availability of expert services.** Expert services at an hourly rate ranging from \$50-\$750, plus travel/mileage, will be used in criminal cases to improve the quality of representation.
- **Enhance the availability of transcription services.** Services will be provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Onboarding expenses for 11 new positions include office furniture; computers, tablets, equipment and software; Wi-Fi internet connection; and legal reference material.

Conflict Defender's Office

Personnel:

- **Add a full-time Supervising Administrator position.** This new position will support the criminal defense attorneys, open and close files, assist with data collection and perform data entry on behalf of the attorneys.

Contracted/Consultant:

- **Enhance availability of investigative and expert services.** These services will assist attorneys with criminal defense preparation. Investigative services will be provided at an hourly rate ranging from \$75-\$125. Expert services will be provided at an hourly rate ranging from \$250-\$750, plus travel/mileage.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include computer equipment; office supplies; conferences, training, and tuition.

Assigned Counsel Plan

Personnel:

- **Add a full-time Supervising Attorney position.** This new position will be responsible for supervising and mentoring panel attorneys.

Contracted/Consultant:

- **Provide funding for mentoring services for attorneys.** Experienced attorneys will provide mentoring services and second-chair programs at an hourly rate of \$150.00 to train less experienced attorneys to improve skills for criminal court representation.
- **Provide supplemental funding of specialized services.** Services will include experts at hourly rates of \$100-\$750, plus travel/mileage; investigators at hourly rates of \$50-\$150; interpreters at hourly rates of \$50-\$150; social workers at hourly rates of \$50-\$150; and transcription services at a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include supplies; computers; office furniture; Continuing Legal Education (CLE)/training; books, trial manuals, and Westlaw; and travel/mileage.

YEAR 2 BUDGET

Public Defender's Office

Personnel:

- **Continue the full-time Local Court Supervisor position.** This position is responsible for providing representation, supervising and mentoring attorneys, and providing training for trial development skills in criminal cases.
- **Continue the full-time Assistant Public Defender I.** This entry-level position is responsible for handling misdemeanor cases in City Court.
- **Continue the two (2) full-time Assistant Public Defender II positions added in year 1 and add two (2) new Assistant Public Defender II positions in Year 2.** These positions will be responsible for handling misdemeanor and felony cases.

- **Continue the full-time Assistant Public Defender III position added in Year 1 and add three (3) new Assistant Public Defender III positions in Year 2.** These positions will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the full-time Assistant Public Defender IV position added in Year 1 and add one (1) new Assistant Public Defender IV position in Year 2.** These positions will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the full-time Assistant Public Defender V position.** This position is responsible for serious and violent felony cases.
- **Continue the full-time Paralegal position.** This position is responsible for drafting motions and performing legal research in criminal cases.
- **Continue the full-time Social Services Coordinator position.** This position is responsible for assisting clients in criminal cases with various needs, connecting with social workers and case managers, assisting with program eligibility, and other resources.
- **Continue the full-time Legal Secretary position added in Year 1 and add two (2) full-time Legal Secretary positions in Year 2.** These positions are responsible for assisting attorneys with administrative tasks, including opening and closing files, Case Management System data entry, among other tasks in criminal cases.
- **Continue the full-time Receptionist position.** This position is responsible for addressing inquiries from clients, the court, and the general public in criminal cases.
- **Continue the salary increase for the Assistant Public Defender I attorney positions.** The salary increase will raise the lowest salaried attorney positions to the new entry-level amount of \$65,000.00 to be able to retain current employees and attract high-quality candidates.
- **Data Officer position.** In Year 2, this will transition from a stipend position in the PD Office to a full-time position in the Assigned Counsel Program (see below).
- **Add a full-time Director of Training position.** This senior staff level position will be responsible for implementing the Public Defender Office’s plan to become a CLE certified agency, providing quality training programs to staff and others including the Alternate Public Defender and 18-b Assigned Counsel, delivering individual and group presentations, and providing “one-on-one” mentoring.
- **Add a full-time Felony Supervisor position.** This position will report directly to the Chief Assistant and Public Defender and will be responsible for supervising the attorneys handling felony-level cases.

- **Add two (2) full-time Clerk II positions.** These positions will assist attorneys in data collection, data entry, file management, and file maintenance, thereby allowing the attorneys to spend more time in case preparation, client communication, and other case-related activities.
- **Provide salary increases for the Confidential Secretary and two (2) Criminal Investigators.** These salary increases reflect the increased responsibilities for these positions, recognizes their experience and skills, and establishes salary parity, thereby promoting staff retention.
- **Provide funding to enhance the salary of the attorney who provides representation at first appearance (CAFA attorney).** This funding will enhance the \$50,000 in salary per year available in the ILS Counsel at First Appearance grant for a full-time attorney to provide CAFA representation. This salary is too low to recruit a qualified applicant. The salary will be increased by \$15,000, allowing the PD Office to hire a qualified entry-level attorney.
- **Provide funding for student interns.** This funding will bolster the PD Office's current student intern program, which reduces the caseloads of PD Office attorneys and serves as a valuable recruitment mechanism for the PD Office. Student interns are paid \$15 to \$30 per hour, depending on their education experience and skills.

Contracted/Consultant:

- **Enhance the availability of experts and other specialized services.** This funding is used to retain experts and other non-attorney professionals, including social workers, interpreters, mitigation specialists, investigators, etc. These experts and specialized services are paid an hourly rate ranging from \$50-\$750 depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding also includes transcription services (for court transcripts) which are provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** These expenses include the following:
 - Onboarding expenses for new positions, including office furniture, cubicles, desktop computers, and a water cooler for staff
 - Computer equipment/laptops
 - Legal reference materials, including print material, books, periodicals, and on-line legal research materials
 - Office Supplies
 - Smartphones and cell phones, including hardware, software, user fees/service agreements, and "hotspots" (i.e. Wi-Fi internet connection)
 - Photocopier (leasing, service agreement/maintenance, and cartridges/toner)

- Professional Organization/Association Membership dues/fees
- Tablets/Cell phones, including all associated hardware and service fees
- Mileage rate/travel expenses at the standard IRS rate for client meetings and to courts
- **Provide funding for Continuing Legal Education (CLE) Trainings and other professional trainings.** This funding will be used for the PD Office to host CLE's and other professional trainings (including refreshments, print materials, training space and travel expenses for speakers), as well as for PD Office staff to attend CLE trainings, other professional trainings, meetings, and convenings hosted by other organizations registration fees and travel expenses, including mileage, lodging, meals, etc.

Conflict Defender's Office

Personnel:

- **Continue the full-time Supervising Administrator position.** This position supports the criminal defense attorneys, open and close files, assist with data collection and perform data entry on behalf of the attorneys.
- **Add a full-time Mitigation Specialist Attorney position.** This position will engage in sentencing advocacy by conducting life-history investigations that identify clients' personal and mitigating circumstances and, where appropriate, also identify behavioral health needs and connect clients to services. This position will also handle post-sentencing matters, such a CPL 440 motions, CPL 180.85 hearings, restitution and probation resentencing proceedings, etc.
- **Add a full-time Legal Secretary position.** This position will support attorneys by handling legal documents, scheduling case-related matters in accord with statutory timeframes, drafting legal correspondence and templates, and conducting legal research.
- **Provide funding for a salary increase for the Alternate Assistant Public Defender.** The salary increase will establish parity between this position and other attorneys in the office and promote retention.

Contracted/Consultant:

- **Enhance availability of investigative, expert, and specialized services.** These services will assist attorneys with criminal defense preparation. Investigative services will be provided at an hourly rate ranging from \$75-\$125. Experts and other specialized services are paid an hourly rate ranging from \$50-\$750, depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding can also be used for transcription services (for court transcripts) which are provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include:
 - Office Supplies
 - Computer Equipment
 - CLE Trainings, other professional trainings, meetings and convenings, including costs associated with the Conflict Defender Office hosting CLE Trainings and other trainings (refreshments, training space, and travel expenses for speakers), and for CD Office staff to attend CLE Trainings, other professional trainings, meetings, and convenings hosted by others (registration fees and associated travel expenses)
 - Professional Organization/Association Membership dues/fees

Assigned Counsel Plan

Personnel:

- **Continue the full-time Supervising Attorney position.** This position is responsible for supervising and mentoring panel attorneys. The increased salary is to attract a high-quality, experienced applicant.
- **Add a full-time Secretary position.** This position will perform administrative and secretary duties and will assist in processing panel attorney vouchers.
- **Add a full-time Data Officer/Grants Manager position.** This position will work closely with the three Albany County providers of mandated representation to ensure they are collecting, maintaining, and reporting on all ILS data requirements. This position will also assist in the fiscal management of ILS competitive and non-competitive grants.

Contracted/Consultant:

- **Continue funding for mentoring services for attorneys.** Experienced attorneys will provide mentoring services at an hourly rate of \$150.00 to train less experienced attorneys to improve skills for criminal court representation.
- **Continue funding for specialized services.** Services will include experts at hourly rates of \$100-\$750, plus travel/mileage; investigators at hourly rates of \$50-\$150; interpreters at hourly rates of \$50-\$150; social workers at hourly rates of \$50-\$150; and transcription services at a rate of \$1.75-\$7.50 per page.
- **Provide funding for a Second Chair Program.** This funding will support the assignment of panel attorneys to serve as second-chairs in more complex cases or as a means of training for less experienced attorneys. Second chair attorneys will be paid the statutory rate (currently \$60/hr. for misdemeanors and \$75/hr. for felonies).

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include:
 - CLE Trainings, other professional trainings, meetings, convenings, and seminars (registration fees and associated travel expenses)
 - Office supplies and furniture
 - Legal reference materials, books, trial manuals, and on-line research materials (Westlaw and Lexis)
 - Travel/mileage reimbursement for ACP staff
 - Computers/equipment and smart devices for new staff, associated software and data plans/subscription fees (including specialized software for Data Officer)



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYSOURCE.COM

PHILIP F. CALDERONE, ESQ.
DEPUTY COUNTY EXECUTIVE

April 18, 2019

Hand Delivered

Honorable Paul T. Devane, Clerk
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Mr. Devane:

Please be advised, that pursuant to Section 309(b)(i) of the Albany County Charter, I hereby approve Resolution No. 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, and 160 by the Albany County Legislature at its meeting held on April 8, 2019.

Sincerely,

Daniel P. McCoy
Daniel P. McCoy
Albany County Executive

DPM/kb

cc: Honorable Andrew Joyce, Chairman, Albany County Legislature
Honorable Michael F. Conners, II, Albany County Comptroller, Department of Audit and Finance
Kevin Cannizzaro, Esq., Majority Counsel, Albany County Legislature
Arnis Zilgme, Esq., Minority Counsel, Albany County Legislature
Daniel C. Lynch, Esq., County Attorney, Albany County Department of Law
Edward L. Dott, Executive Deputy Comptroller, Albany County Department of Audit and Control
David M. Latina, Commissioner, Albany County Department of General Services
Anthony J. Fontanelli, Associate Operations Supervisor, Albany County Department of Audit and Control

Receiver Signature:
Deliverer Signature:
Date:
Time:

[Handwritten Signature]
[Handwritten Signature]
4/18/19
8:00am

RESOLUTION NO. 151**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2019 ALBANY COUNTY BUDGET**

Introduced: 4/8/19

By Audit and Finance and Law Committees:

WHEREAS, The County Executive and Albany County Public Defender have indicated that the State of New York has committed to expanding the Hurrell-Harring settlement on a statewide basis thereby increasing the availability of legal representation for indigent defendants in Albany County including ensuring the accessibility of counsel at arraignments, establishing caseload limits for counsel, and increasing the availability of experts, and

WHEREAS, the County Executive and Albany County Public Defender have further indicated that the Albany County Public Defender, Alternate Defender, and Assigned Counsel Program will directly benefit from this increased funding and it will be used to pay for added personnel, contractual expert services, training, mentoring, and other indigent defense resources, and

WHEREAS, The County Executive and Public Defender have requested authorization to enter into a five year agreement with the New York State Office of Indigent Legal Services regarding the aforementioned full statewide implementation Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending on March 31, 2023, and

WHEREAS, The County Executive has further indicated that the County of Albany will be entitled to funds in the amount of \$1,750,920 for the 2019 calendar year, and

WHEREAS, This Honorable Body has already provided for funding to the Public Defender's Office through the Adopted 2019 County Budget, however a budget amendment is necessary to incorporate the additional funding that will be received from the state for 2019, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is hereby authorized to enter into an agreement with the New York State Offices of Indigent Legal Services regarding the statewide implementation of the Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending March 31, 2023, and, be it further

RESOLVED, By the Albany County Legislature that the 2019 Budget is amended as follows:

Increase Revenue Account A3338 Statewide Implementation by \$249,125

Increase Appropriation Account A1172.1 by \$113,800 by creating and increasing the following Line Items:

Line Item A1172 1 2002 Supervising Attorney by \$85,000

Line Item A1172 1 9935 Law Intern Program by \$28,800

Increase Appropriation Account A1172.4 by \$90,275 by increasing the following Line Items:

Line Item A1172 4 4046 Fees For Services by \$50,000

Line Item A1172 4 4039 Conferences/Training/Tuition by \$30,000

Line Item A1172 4 4020 Office Supplies by \$4,000

Line Item A1172 4 4040 Books/Transcripts/Subscripts by \$4,275

Line Item A1172 4 4038 Travel-Mileage/Freight by \$2,000

Increase Appropriation Account A1172.8 by \$45,050 by creating and increasing the following Line Items:

Line Item A1172 8 9010 State Retirement by \$15,305

Line Item A1172 8 9030 Social Security by \$6,460

Line Item A1172 8 9060 Hospital and Medical Insurance by \$23,285

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 4/8/19

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

June 10, 2010

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

I am requesting legislative approval to allow the disbursement of Mortgage Taxes for the period October 1, 2019 through March 31, 2020

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:
Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



County of Albany

112 State Street
Albany, NY 12207

Legislation Text

File #: TMP-1709, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative action is requested to approve Mortgage Taxes to be disbursed for the period October 1, 2019 through March 31, 2020
Click or tap here to enter text.

Date:	June 10, 2020
Submitted By:	Shawn Thelan
Department:	Management and budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	Shawn Thelen/David Reilly/Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☒ Other: (state if not listed) Mortgage Tax 9/1/19 thru 3/31/20 Disbursement

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe

158

- ☐ Personnel
☐ Personnel Non-Individual
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Legislative action is requested to approve Mortgage Taxes to be disbursed for the period October 1, 2019 through March 31, 2020



**Department of
Taxation and Finance**

June 9, 2020

Mr. Bruce A. Hidley
Albany County Clerk
16 Eagle Street
Albany, NY 12207-1077

Re: Semi-Annual Report for the period October 1, 2019 through March 31, 2020.

Dear Mr. Hidley,

Your joint Semi-Annual Report, NY Form AU-202, which we received on June 9, 2020, is approved. The net amount of \$3,693,946.39 due to the respective tax districts is recognized. The report may be submitted to your County Legislative Body for their action, pursuant to Section 261 of the Tax Law.

Sincerely yours,

Joseph Mayer

Joseph Mayer
Excise Tax Technician 2
Telephone: (518) 862-6074

New York State Mortgage Tax Semi-Annual Report Part II
County of Albany for the period: 10/1/2019 through 3/31/2020
291ish Statement for Taxes Collected Pursuant to Article 11

DISTRIBUTION STATEMENT: Columns 1 through 5: The taxes collected shown in column 2 were produced by mortgages covering real property in the respective tax districts. Additions and deductions to make adjustments and to correct errors are recorded in columns 3 and 4 respectively. Authority for these additions and deductions is given by the orders of the Tax Department noted on the bottom of this part.

CREDIT STATEMENT: Column 6: This column is the net amount due each tax district, for which the County of Albany shall issue its warrants.

1 Tax Districts	2 Taxes Collected	3 Additions*	4 Deductions*	5 Amount of "Taxes Collected" as adjusted and corrected	6 Net Amount due each tax district
City of Albany	\$ 804,501.74			\$ 804,501.74	\$ 786,405.35
Town of Berne	\$ 23,513.00			\$ 23,513.00	\$ 22,984.10
Town of Bethlehem	\$ 564,958.00			\$ 564,958.00	\$ 552,249.89
Town of Coeymans	\$ 97,020.50			\$ 97,020.50	\$ 94,838.13
City of Cohoes	\$ 142,026.33			\$ 142,026.33	\$ 138,831.60
Town of Colonie	\$ 1,374,182.86			\$ 1,374,182.86	\$ 1,343,272.11
Town of Green Island	\$ 18,534.25			\$ 18,534.25	\$ 18,117.34
Town of Guilderland	\$ 451,341.15			\$ 451,341.15	\$ 441,188.72
Town of Knox	\$ 25,769.00			\$ 25,769.00	\$ 25,189.35
Town of New Scotland	\$ 161,700.43			\$ 161,700.43	\$ 158,063.15
Town of Rensselaerville	\$ 23,936.00			\$ 23,936.00	\$ 23,397.59
City of Watervliet	\$ 57,970.50			\$ 57,970.50	\$ 56,666.52
Town of Westerlo	\$ 33,496.00			\$ 33,496.00	\$ 32,742.54
Total tax districts: 13					
TOTALS:	\$ 3,778,949.76	\$ -	\$ -	\$ 3,778,949.76	\$ 3,693,946.39

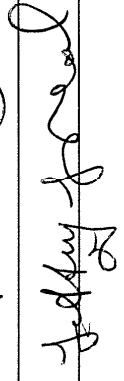
*see refund, adjustment, and special adjustment orders of Commissioner of Taxation and Finance, case numbers:

Part I

New York State Mortgage Tax Semi-Annual Report
 County of Albany for the period: October 1, 2019 through March 31, 2020
 Cash Statement for Taxes Collected Pursuant to Article 11

Months	BASIC TAX DISTRIBUTED				TREASURER			ALL OTHER TAXES DISTRIBUTED					13 County Tax
	1 Basic tax collected	2 Interest received by recording officer	3 Recording officer's expense	4 Refunds or adjustments	5 Amount paid to treasurer (Col 1+2-3-4)	6 Interest received by treasurer	7 Treasurer's expense	8 Tax districts share (Col. 5+6-7)	9 Local tax	10 Additional tax	11 Special Assistance fund	12 Special additional tax	
October	\$ 671,001.88	\$ 100.98	\$ 17,027.64		\$ 654,075.22	\$ 4,889.21		\$ 658,964.43		\$ 380,133.03		\$ 233,645.18	\$ 327,591.84
November	\$ 613,379.39	\$ 105.89	\$ 17,659.92		\$ 595,825.36	\$ 3,722.21		\$ 599,547.57		\$ 298,503.01		\$ 207,793.34	\$ 299,199.67
December	\$ 701,617.54	\$ 66.46	\$ 17,621.16		\$ 683,185.03	\$ 3,577.16		\$ 686,762.19		\$ 337,891.58		\$ 248,423.25	\$ 341,592.50
January	\$ 661,191.00	\$ 97.22	\$ 17,776.36		\$ 643,511.86	\$ 2,695.58		\$ 646,207.44		\$ 306,764.73		\$ 231,537.29	\$ 321,045.14
February	\$ 677,023.08	\$ 124.57	\$ 17,520.37		\$ 659,627.28	\$ 2,096.11		\$ 661,723.39		\$ 323,365.66		\$ 250,923.63	\$ 329,813.66
March	\$ 455,614.68	\$ 36.30	\$ 16,068.35		\$ 439,582.63	\$ 1,158.74		\$ 440,741.37		\$ 319,983.94		\$ 156,784.73	\$ 219,923.03
April													
May													
June													
July													
August													
September													
TOTALS	\$ 3,779,827.57	\$ 531.42	\$ 103,673.80		\$ 3,675,807.38	\$ 18,139.01		\$ 3,693,946.39		\$ 1,966,641.95		\$ 1,329,107.42	\$ 1,839,165.84


 Albany County Clerk


 Albany County Director of Finance

RESOLUTION NO.

AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2019 THROUGH MARCH 31, 2020

Introduced:

By Audit and Finance Committee:

WHEREAS, The joint report of the Albany County Division of Finance and the County Clerk of Albany County showing the collection of mortgage taxes for the period of October 1, 2019 through March 31, 2020 shows the Albany County Division of Finance has on hand for distribution the sum of \$3,693,946.39 which has been apportioned in the following manner:

Cities and Towns

City of Albany	\$786,405.35
City of Cohoes	138,831.60
City of Watervliet	56,666.52
Town of Berne	22,984.10
Town of Bethlehem	552,249.89
Town of Coeymans	81,122.30
Town of Colonie	1,253,617.32
Town of Green Island	13,588.01
Town of Guilderland	433,033.99
Town of Knox	25,189.35
Town of New Scotland	139,416.63
Town of Rensselaerville	23,397.59
Town of Westerlo	<u>32,742.54</u>
TOTAL	\$3,559,245.19

and

WHEREAS, Said report for the same period shows apportionment to the Towns of Coeymans, Colonie, Green Island, Guilderland and New Scotland, which pursuant to law, is required to be apportioned as between the said towns and villages therein, and the said officers have apportioned the same in the following manner:

Villages

Village of Ravena	\$13,715.83
Village of Colonie	55,665.34
Village of Menands	33,989.44
Village of Green Island	4,529.34
Village of Altamont	8,154.73

Village of Voorheesville

TOTAL

18,646.52
\$134,701.20

now, therefore be it

RESOLVED, By the County Legislature of the County of Albany, that the Clerk of the County Legislature is directed to draw a warrant requiring the Director of Finance to pay to the City Treasurer of each of the cities named the amounts apportioned thereto, and to the Supervisors of the several towns, the amount due said towns, and to the Village Treasurers of said villages, the amounts apportioned thereto, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

May 26, 2020

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative action is requested to revoke the sale of property located in the City of Albany, 182 Brevator Street pursuant to ABL Resolution Nos. 251 and 347 of 2019. Also requested is approval to allow the conveyance of this property to The Albany County Land Bank Corporation.

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:
Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



Legislation Text

File #: TMP-1682, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative Action is requested to revoke the sale of tax delinquent property located in the City of Albany, 182 Brevator Street to the immediate former owner and authorization is also requested to allow the conveyance of this property to The Albany County Land Bank Corporation

.Click or tap here to enter text.

Date:	May 26, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/ Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☒ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed)

Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment

- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Authorization is requested in two parts, to revoke the sale of tax delinquent property located in the City of Albany, 182 Brevator Street, Tax Map No. 53.82-1-9 approved pursuant to ABL Resolution numbers 251 and 347 of 2019. The immediate former was not able to complete all the requirements to close on the property. Also requested is authorization to allow the conveyance of this property to The Albany County Land Bank Corporation.

James Galus jamesgalus@gmail.com

1/7/2020

Unfortunately, we are forced to end the process of regaining the property at 182 Brevator st., and are requesting the deposit of \$8214.93 to be returned to my name, and sent to 134 Kingston Street, San Francisco, CA.

Please confirm.

Regards,

James Galus

RESOLUTION NO. 251

RESCINDING THE CONVEYANCE OF REAL PROPERTY PURSUANT TO RESOLUTION NO 271 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 182 BREVATOR STREET (TAX MAP NO. 53.82-1-9) IN THE CITY OF ALBANY

Introduced: 6/10/19

By Audit and Finance Committee:

WHEREAS, Per Resolution No. 271 for 2018, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure located in the City of Albany to the Albany County Land Bank Corporation (the “Land Bank”), and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to previous property owners, and

WHEREAS, Clara Galus, the previous owner of the property, has expressed an interest in acquiring the parcel and has offered to pay all the back taxes and fees due for the property, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 271 for 2018 is hereby amended by rescinding the authorization to convey 182 Brevator Street in the City of Albany, and be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 182 Brevator Street (Tax Map No. 53.82-1-9) in the City of Albany to Clara Galus for the amount of all back taxes and fees due on such parcel, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote.

Mr. A. Joyce made a motion to reconsider, seconded by Mr. Feeney, which passed unanimously.

Mr. A. Joyce proposed the following amendment:

In the Second WHEREAS clause after “previous property owners”, ADD: “including that any and all liens extinguished as a result of the foreclosure shall be reinstated”

After the Second RESOLVED clause, ADD: “RESOLVED, That any and all liens upon the property which were previous extinguished as a result of the foreclosure action shall be deemed reinstated and restored pursuant to the Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, and be it further”

Amendment was adopted by unanimous vote.

Adopted as amended by unanimous vote - 6/10/19

RESOLUTION NO. 347

**AMENDING RESOLUTION NO. 251 FOR 2019 REGARDING THE
CONVEYANCE OF REAL PROPERTY AT 182 BREVATOR STREET (TAX
MAP NO. 53.82-1-9) IN THE CITY OF ALBANY**

Introduced: 8/12/19

By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 212 for 2017, this Honorable Body authorized the conveyance of real property located at 182 Brevator Street (Tax Map No. 53.82-1-9) in the City of Albany, and

WHEREAS, An amendment is necessary in order to move forward with the conveyance of 182 Brevator Street, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 251 for 2019 is hereby amended in the Second Resolved Clause to reflect “the Spiritual Center for Human Development of Rev. Clara P. Galus” rather than “Clara Galus” and be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 8/12/19

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

May 30, 2020

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative approval is requested in two parts, to amend ABL Resolution 506 of 2017 due to transcription errors appearing on the submitted property list for this resolution, and pursuant to a county court order, approval is also requested to rescind the authorization to transfer property located in the City of Albany, 36 Ten Broeck Place to The Albany County Land Bank Corporation.

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:
Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



Legislation Text

File #: TMP-1685, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative action is requested in two parts, to amend ABL Res No. 506 of 2017 due to transcription errors on the list of properties submitted for this resolution and also by rescinding the authorization to transfer property located in the City of Albany 36 Ten Broeck Place to The Albany County Land Bank Corporation as the foreclosure of this property was vacated per a County Court Order

.Click or tap here to enter text.

Date:	May 26, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☒ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed)

Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual

175

- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Legislative action is requested in two parts, to amend ABL Res No. 506 of 2017 due to transcription errors on the submitted property list for this resolution and also by rescinding the authorization to transfer property to The Albany County Land Bank Corporation.

Transcription errors on property list page 3: Correct property addresses 24, 36 and 38 shown as Ten Broeck Street to indicate Ten Broeck Place. Correct tax map No. 65.74-4-3, for 36 Ten Broeck Place to indicate tax map No. 65.74-4-30. (See attachment)

Due to a County Court Order (see attached) the tax foreclosure conducted on 36 Ten Broeck Place, tax Map No. 65.74-4-30 was vacated and in this regard the authorization to transfer this property to the Albany County Land Bank Corporation granted per ABL Res No. 506 of 2017 is being requested to be rescinded.

RESOLUTION NO. 506

AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

Introduced: 12/4/17

By Audit and Finance Committee and Ms. McKnight:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to 105 parcels of real property in the City of Albany, and

WHEREAS, The Albany County Land Bank Corporation (Land Bank) has expressed an interest in acquiring these 105 parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interests of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 453 of 2015, The Albany County Department of Management and Budget has forwarded a spreadsheet for high value properties containing the amounts due to Albany County upon the sale of a listed parcel by the Albany County Land Bank Corporation, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the parcels of real property located in the City of Albany to the Albany County Land Bank Corporation as indicated on the spreadsheet annexed hereto, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate officials of the Albany County Land Bank and County Officials.

Adopted by unanimous vote. 12/4/17

DEFAULTED PARCELS 2011L

3088-12 2011L City of Albany, October Judgment Parcels							Street #	Street Name	Building/ Lot	Tax Map #	Assessed Value	Class Code	Base Taxes	Estimated Market Value
	505	SECOND STREET	Building	65.39-1-88	\$	128,400.00		210 - One Family Residence			\$	26,403.32	\$	50,000.00
	529	SECOND STREET	Building	65.39-1-76	\$	3,600.00		220 - Two Family Residence			\$	19,088.49	\$	3,000.00
	573	SECOND STREET	Building	65.38-2-52	\$	66,162.00		210 - One Family Residence			\$	5,780.45	\$	40,000.00
	183	SHERIDAN AVENUE	Lot	65.81-3-45	\$	1,000.00		311 - Residential Vacant Land			\$	18,782.73	\$	1,000.00
	187	SHERMAN STREET	Lot	65.63-5-39	\$	1,500.00		331 - Comm Vacant Minor Improvements			\$	42,334.67	\$	1,500.00
	217.5	SHERMAN STREET	Lot	65.63-2-27	\$	2,500.00		311 - Residential Vacant Land			\$	13,699.18	\$	2,500.00
	315	SHERMAN STREET	Building	65.54-5-24	\$	14,900.00		210 - One Family Residence			\$	12,477.10	\$	12,000.00
	417	SHERMAN STREET	Lot	65.46-1-24	\$	400.00		311 - Residential Vacant Land			\$	3,228.66	\$	400.00
	319	SOUTH PEARL STREET	Lot	76.65-3-58	\$	300.00		311 - Residential Vacant Land			\$	3,099.67	\$	300.00
	325	SOUTH PEARL STREET	Lot	76.65-3-56	\$	37,200.00		331 - Comm Vacant Minor Improvements			\$	16,814.38	\$	1,500.00
	329	SOUTH PEARL STREET	Building	76.65-3-55	\$	15,000.00		482 - Detached Row Bldg			\$	9,060.57	\$	15,000.00
	331	SOUTH PEARL STREET	Lot	76.65-3-54	\$	15,400.00		330 - Commercial Vacant Land			\$	7,239.70	\$	2,000.00
	381	SOUTH PEARL STREET	Lot	76.73-1-30	\$	1,000.00		311 - Residential Vacant Land			\$	6,055.04	\$	1,000.00
	383	SOUTH PEARL STREET	Lot	76.73-1-31	\$	1,000.00		311 - Residential Vacant Land			\$	7,036.24	\$	1,000.00
	16	SOUTH SWAN STREET	Lot	65.81-3-31	\$	1,700.00		311 - Residential Vacant Land			\$	20,754.27	\$	1,500.00
	9	SOUTH SWAN STREET	Lot	65.81-6-83	\$	1,000.00		311 - Residential Vacant Land			\$	17,389.36	\$	1,000.00
	67	SOUTHERN BOULEVARD	Lot	75.76-3-38	\$	6,000.00		311 - Residential Vacant Land			\$	3,001.70	\$	1,500.00
	24	TEN BROECK STREET <i>Place</i>	Building	65.74-4-36	\$	15,000.00		220 - Two Family Residence			\$	21,640.44	\$	15,000.00
	36	TEN BROECK STREET <i>Place</i>	Lot	65.74-4-3-30	\$	2,800.00		311 - Residential Vacant Land			\$	1,610.94	\$	1,500.00
	38	TEN BROECK STREET <i>Place</i>	Lot	65.74-4-29	\$	2,900.00		311 - Residential Vacant Land			\$	1,624.21	\$	1,500.00
	41	TEN BROECK STREET	Building	65.82-5-59	\$	15,000.00		230 - Three Family Residence			\$	6,434.26	\$	15,000.00
	8	TEUNIS STREET	Building	76.72-2-4	\$	1,000.00		311 - Residential Vacant Land			\$	5,775.87	\$	1,000.00
	51	THIRD AVENUE	Building	76.64-3-37	\$	10,000.00		220 - Two Family Residence			\$	6,354.80	\$	10,000.00
	84	THIRD AVENUE	Building	76.64-4-11	\$	55,000.00		220 - Two Family Residence			\$	20,641.21	\$	50,000.00
	93	THIRD AVENUE	Building	76.64-2-64	\$	58,300.00		220 - Two Family Residence			\$	14,943.02	\$	30,000.00
	307	THIRD STREET	Lot	65.56-1-51	\$	1,500.00		310 - Residential			\$	31,832.02	\$	1,500.00
	505	THIRD STREET	Building	65.39-1-51	\$	14,800.00		210 - One Family Residence			\$	7,580.17	\$	12,000.00
	64	THIRD STREET	Building	65.74-3-13	\$	12,000.00		220 - Two Family Residence			\$	6,306.96	\$	15,000.00
	76	THORTON STREET	Building	65.48-2-83	\$	1,900.00		220 - Two Family Residence			\$	7,882.87	\$	1,900.00
	78	THORTON STREET	Building	65.48-2-84	\$	18,800.00		220 - Two Family Residence			\$	19,791.06	\$	15,000.00
	1	VALLEY STREET REAR	Lot	63.36-1-34	\$	400.00		311 - Residential Vacant Land			\$	726.59	\$	400.00
	33	WEST STREET	Building	65.63-3-68	\$	38,800.00		220 - Two Family Residence			\$	29,459.59	\$	30,000.00

30

RECEIVED

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

2020 MAR 10 PM 1:17

ALBANY COUNTY CLERK

In the Matter of the "In Rem" Delinquent Tax Lien
Foreclosure Proceeding brought pursuant to Article
Eleven, Title 3 of the Real Property Tax Law

by

THE COUNTY OF ALBANY, NEW YORK, TAX
DISTRICT,

against

The Parcels of Real Property included in the LIST OF
DELINQUENT TAXES filed on June 11, 2012
covering the CITY OF ALBANY, Albany County

**ORDER
VACATING, NULLIFYING
AND CANCELLING OF
RECORD *NUNC PRO TUNC*
BOTH FINAL JUDGMENT OF
FORECLOSURE BY DEFAULT,
EXECUTION AND WRIT OF
ASSISTANCE AND DEED BY
ASSIGNMENT GIVEN BY TAX
DISTRICT TO ALBANY COUNTY
LAND BANK CORPORATION
solely to the extent that
Exhibit "A" annexed to both
said Judgment and Deed
include therein "PARCEL No.
ALBANY 3088-12-1628 (36 Ten
Broeck Place, City of Albany)"**

Index No. 3088-12

RJI No. CC-16-00001

IAS Judge: Surrogate Stacy L. Pettit
Acting Albany County Court Judge

The County of Albany, New York Tax District ("Tax District") having by its attorney Acting Albany County Attorney Eugenia Koutelis Condon (Gregory A. Rutnik, Esq., Assistant Albany County Attorney, of counsel) applied to this Court for the hereinafter specified relief and for such other, further and different relief as to the Court may seem just and proper,

NOW after reading and filing the Affidavit of Assistant Albany County Attorney Gregory A. Rutnik, Esq. sworn to on February 20, 2020 in support of said Application satisfactorily establishing the excusable mistake and error of the Tax District in having obtained said Foreclosure Judgment and subsequently given said Deed by Assignment to the Albany County Land Bank Corporation solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 3088-12-1628 (36 Ten Broeck Place, City of Albany)" and due deliberation having

been had thereon, pursuant to this Court's inherent authority to in the interest of justice and in the exercise of its inherent discretion, it is hereby

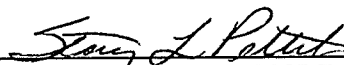
UPON said Application by said attorney for the Tax District,

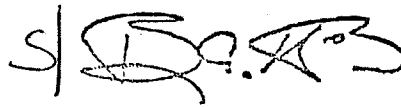
ORDERED that both the Order of this Court dated October 18, 2017 and entered in the Albany County Clerk's Office on October 30, 2017 granting the Tax District a Final Judgment of Foreclosure by Default, Execution and Writ of Assistance in this proceeding ("Foreclosure Judgment") and the Deed by Assignment subsequently given by the Tax District to the Albany County Land Bank Corporation dated October 26, 2018 recorded in the Albany County Clerk's Office as Instrument No. R2018-24157 on October 30, 2018 ("Deed by Assignment") are hereby pursuant to this Court's inherent authority to at any time vacate its own judgments in the interest of justice and the exercise of its inherent discretion based upon the excusable mistake and/or error of a party thereto vacated, declared null and void and cancelled of record nunc pro tunc nunc solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 3088-12-1628 (36 Ten Broeck Place, City of Albany)", and it is further hereby

ORDERED that the Albany County Clerk shall and is hereby directed to make an appropriate notation of the entry of this Order upon the filed original of and the electronic Index entries with respect to both said Foreclosure Judgment and Deed by Assignment solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 3088-12-1628 (36 Ten Broeck Place, City of Albany)".

Signed this 5th day of March, 2020, at Albany, New York.

ENTER


STACY L. PETTIT, SURROGATE
ACTING ALBANY COUNTY COURT JUDGE

 ms
3-10-20

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

May 26, 2020

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative approval is requested to amend Resolution No. 271 of 2018 by striking 349 Orange Street located in the City of Albany from the list of properties submitted for this resolution as this property was removed from foreclosure per a County Court Order. In this regard request is also made to rescind the sale of this property to The Albany County Land Bank Corporation pursuant to Resolution No. 271 of 2018.

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:
Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



Legislation Text

File #: TMP-1684, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative action is requested to amend Resolution No. 271 of 2018 by striking 349 Orange Street located in the City of Albany from the list of properties submitted for this legislative request (See attached) per County Court order. Authorization is also requested to rescind the sale of this property to the Albany County Land Bank Corporation pursuant to Resolution No. 271 of 2018.

Click or tap here to enter text.

Date:	May 26, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☒ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed)

Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual

183

- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Legislative request is made to amend Resolution No. 271 of 2018 by striking 349 Orange Street, located in the City of Albany from the list of properties submitted (See attached) for this resolution. It was discovered that this property should not have been foreclosed on by the County. In this regard the attached Court Order vacated the County's foreclosure action against this property. Also requested is authorization to rescind the sale of 349 Orange Street to The Albany County Land Bank Corporation pursuant to Resolution No. 271 of 2018

RESOLUTION NO. 271

**AUTHORIZING THE CONVEYANCE OF CITY OF ALBANY PARCELS OF
REAL PROPERTY TO THE ALBANY COUNTY LAND BANK
CORPORATION**

Introduced: 6/11/18

By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to 111 parcels of real property in the City of Albany, and

WHEREAS, The Albany County Land Bank Corporation (Land Bank) has expressed an interest in acquiring these 111 parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interests of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 453 of 2015, The Albany County Department of Management and Budget has forwarded a spreadsheet which contains base taxes and estimated market value of these properties which will be used to calculate the amount due to Albany County upon the sale of a listed parcel by the Albany County Land Bank Corporation, and, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the 111 parcels of real property located in the City of Albany to the Albany County Land Bank Corporation as indicated on the spreadsheet annexed hereto, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote - 6/11/18

Address	Structure	Parcel ID	Assessor's Description	Area (sq. ft.)	Value	Notes
City of Albany	11 MOHAWK STREET	Lot	310 - Residential		\$ 51,739.17	\$ 500.00
City of Albany	8 MOHAWK STREET	Lot	311 - Residential Vacant Land		\$ 7,635.15	\$ 5,800.00
City of Albany	121 N LAKE AVENUE	Building	230 - Three Family Residence		\$ 32,552.86	\$ 15,000.00
City of Albany	544 N PEARL STREET	Lot	311 - Residential Vacant Land		\$ 4,677.74	\$ 2,500.00
City of Albany	540 N PEARL STREET	Lot	311 - Residential Vacant Land		\$ 3,181.94	\$ 2,500.00
City of Albany	105 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 792.89	\$ 1,400.00
City of Albany	107 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 792.89	\$ 1,400.00
City of Albany	109 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 792.89	\$ 1,400.00
City of Albany	111 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 792.89	\$ 1,400.00
City of Albany	113 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 792.89	\$ 1,400.00
City of Albany	115 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 1,242.89	\$ 1,400.00
City of Albany	117 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 942.89	\$ 1,400.00
City of Albany	119 OLIVER AVENUE	Lot	311 - Residential Vacant Land		\$ 942.89	\$ 1,400.00
City of Albany	72 ONDERDONK AVENUE	Lot	311 - Residential Vacant Land		\$ 2,721.70	\$ 10,300.00
City of Albany	74 ONDERDONK AVENUE	Lot	311 - Residential Vacant Land		\$ 2,721.70	\$ 10,300.00
City of Albany	31 ONTARIO STREET	Lot	311 - Residential Vacant Land		\$ 7,274.40	\$ 2,100.00
City of Albany	135 ONTARIO STREET	Building	615 - Educational Facilities		\$ 3,207.26	\$ 2,100.00
City of Albany	130 ONTARIO STREET	Building	464 - Office Building		\$ 19,717.97	\$ 545,000.00
City of Albany	349 ORANGE STREET	Lot	311 - Residential Vacant Land		\$ 9,154.61	\$ 280,000.00
City of Albany	176 ORANGE STREET	Lot	311 - Residential Vacant Land		\$ 1,182.18	\$ 900.00
City of Albany	216 ORANGE STREET	Lot	311 - Residential Vacant Land		\$ 52,306.90	\$ 1,500.00
City of Albany	21 PENNSYLVANIA AVE	Building	311 - Residential Vacant Land		\$ 3,445.70	\$ 1,300.00
City of Albany	75 QUAIL STREET	Lot	210 - One Family Residence		\$ 5,642.39	\$ 84,000.00
City of Albany	5 ROSEMARY CIRCLE	Lot	311 - Residential Vacant Land		\$ 4,394.21	\$ 13,000.00
City of Albany	18 SAND STREET	Lot	311 - Residential Vacant Land		\$ 9,531.86	\$ 33,400.00
City of Albany	37 SAND STREET	Lot	311 - Residential Vacant Land		\$ 2,277.23	\$ 3,200.00
City of Albany	167 SECOND AVENUE	Building	311 - Residential Vacant Land		\$ 3,470.91	\$ 5,200.00
City of Albany	116 SECOND AVENUE	Lot	230 - Three Family Residence		\$ 27,175.13	\$ 109,253.00
City of Albany	45 SECOND AVENUE	Building	311 - Residential Vacant Land		\$ 15,981.79	\$ 1,500.00
City of Albany	48 SECOND AVENUE	Building	220 - Two Family Residence		\$ 15,196.50	\$ 13,000.00
City of Albany	453 SECOND STREET	Building	220 - Two Family Residence		\$ 22,449.07	\$ 93,000.00
City of Albany	184 SECOND STREET	Lot	210 - One Family Residence		\$ 46,063.86	\$ 12,000.00
City of Albany	319 SECOND STREET	Building	311 - Residential Vacant Land		\$ 2,666.22	\$ 2,400.00
City of Albany	250 SHAKER ROAD	Lot	210 - One Family Residence		\$ 17,934.55	\$ 60,000.00
City of Albany	268 SHERIDAN AVENUE	Lot	300 - Vacant Land		\$ 47,424.72	\$ 76,000.00
City of Albany	319 SHERMAN STREET	Lot	311 - Residential Vacant Land		\$ 30,625.41	\$ 1,500.00
City of Albany	77 SHERMAN STREET	Building	438 - Parking Lot		\$ 5,626.99	\$ 14,300.00
City of Albany	205 SHERMAN STREET	Building	210 - One Family Residence		\$ 13,293.19	\$ 43,000.00
City of Albany	397 SOUTH PEARL STREET	Building	220 - Two Family Residence		\$ 27,919.20	\$ 13,000.00
City of Albany	603 SOUTH PEARL STREET REAR	Building	220 - Two Family Residence		\$ 11,669.89	\$ 15,000.00
City of Albany	14 SOUTH SWAN STREET	Lot	210 - One Family Residence		\$ 21,951.04	\$ 81,000.00
City of Albany	4 TEUNIS STREET	Lot	230 - Three Family Residence		\$ 4,457.68	\$ 15,000.00
City of Albany	49 THIRD AVENUE	Lot	311 - Residential Vacant Land		\$ 21,334.53	\$ 54,700.00
City of Albany	36 THIRD AVENUE	Building	311 - Residential Vacant Land		\$ 16,465.07	\$ 1,700.00
City of Albany	569 THIRD STREET	Lot	311 - Residential Vacant Land		\$ 1,598.87	\$ 1,200.00
City of Albany	600 THIRD STREET	Building	220 - Two Family Residence		\$ 1,383.72	\$ 10,000.00
City of Albany	541 THIRD STREET	Lot	311 - Residential Vacant Land		\$ 2,357.23	\$ 1,000.00
City of Albany	542 THIRD STREET	Lot	220 - Two Family Residence		\$ 23,344.45	\$ 94,400.00
City of Albany	311 THIRD STREET	Building	311 - Residential Vacant Land		\$ 5,963.08	\$ 4,600.00
City of Albany			220 - Two Family Residence		\$ 1,303.70	\$ 1,500.00
City of Albany					\$ 26,044.91	\$ 112,700.00
City of Albany					\$ 18,874.03	\$ 10,000.00

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

In the Matter of the "In Rem" Delinquent Tax Lien
Foreclosure Proceeding brought pursuant to Article
Eleven, Title 3 of the Real Property Tax Law

by

THE COUNTY OF ALBANY, NEW YORK, TAX
DISTRICT

against

The Parcels of Real Property included in the LIST OF
DELINQUENT TAXES filed on October 8, 2013
covering the CITY OF ALBANY, Albany County

RECEIVED
2019 APR 30 4 10 PM
ALBANY COUNTY COURT
ORDER
VACATING, NULLIFYING
AND CANCELLING OF
RECORD *NUNC PRO TUNC*
BOTH FINAL JUDGMENT OF
FORECLOSURE BY DEFAULT,
EXECUTION AND WRIT OF
ASSISTANCE AND DEED BY
ASSIGNMENT GIVEN BY TAX
DISTRICT TO ALBANY COUNTY
LAND BANK CORPORATION
AS TO PARCEL No. ALBANY
5107-13-1074 (349 Orange
Street, City of Albany)

Index No. 5107-13

RJI No. CC-17-00001

IAS Judge: Surrogate Stacy L. Petitt
Acting Albany County Court Judge

The County of Albany, New York Tax District ("Tax District") having by its attorney Albany County Attorney DANIEL C. LYNCH (Gregory A. Rutnik, Esq., Assistant County Attorney, of counsel) moved this Court *ex parte* pursuant to this Court's inherent authority to at any time vacate its own judgments in the interest of justice and the exercise of its inherent discretion based upon the excusable mistake and/or error of a party thereto for an Order vacating, declaring null and void and canceling of record *nunc pro tunc nunc* both the Order of this Court dated February 8, 2018 and entered in the Albany County Clerk's Office on February 8, 2018 granting the Tax District Summary Final Judgment of Foreclosure by Default, Execution and Writ of Assistance in this proceeding as to the above said parcel ("Foreclosure Judgment") and the Deed by Assignment as to the above said parcel subsequently given by the Tax District to the Albany County Land Bank Corporation dated March 29, 2019 recorded in the Albany County Clerk's Office as Instrument No. R2019-6878 on April 10, 2019 ("Deed by Assignment") solely to the extent that Exhibit "A" annexed to both

said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)" and for such other, further and different relief as to the Court may seem just and proper,

NOW after reading and filing the Affidavit of Assistant Albany County Attorney Gregory A. Rutnik, Esq. sworn to on April 15, 2019 in support of said Motion satisfactorily establishing the excusable mistake and error of the Tax District in having obtained said Foreclosure Judgment and given said Deed by Assignment as to the abovesaid parcel in this proceeding solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment included therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)".and due deliberation having been had thereon, it is hereby pursuant to this Court's inherent authority to in the interests of justice and in the exercise of its inherent discretion, it is hereby

UPON said Motion by said attorney for the Tax District,

ORDERED that both the Order of this Court dated February 8, 2018 and entered in the Albany County Clerk's Office on February 8, 2018 granting the Tax District said Foreclosure Judgment in this proceeding as to the above said parcel and said Deed by Assignment as to the above said parcel subsequently given by the Tax District to the Albany County Land Bank Corporation dated March 29, 2019 recorded in the Albany County Clerk's Office as Instrument No. R2019-6878 on April 10, 2019 are hereby vacated, declared null and void and canceled of record *nunc pro tunc* solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)"., and it is further hereby

ORDERED that the Albany County Clerk shall and is hereby directed to make an appropriate notation of the entry of this Order upon the filed original of and the electronic Index entries with respect to both said Foreclosure Judgment and Deed by Assignment solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by

Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)".

Signed this 26th day of April, 2019, at Albany, New York.

ENTER

Stacy L. Pettit
STACY L. PETTIT, SURROGATE
ACTING ALBANY COUNTY COURT JUDGE

S/ Stacy L. Pettit
4-30-19 ms

STATE OF NEW YORK
COUNTY COURT **COUNTY OF ALBANY**

In the Matter of the "In Rem" Delinquent Tax Lien
 Foreclosure Proceeding brought pursuant to Article
 Eleven, Title 3 of the Real Property Tax Law

by

THE COUNTY OF ALBANY, NEW YORK, TAX
 DISTRICT,

against

The Parcels of Real Property included in the LIST
 OF DELINQUENT TAXES filed on October 8, 2013
 covering the CITY OF ALBANY, Albany County

**AFFIDAVIT IN SUPPORT OF
 MOTION FOR ORDER
 VACATING, NULLIFYING
 AND CANCELLING OF
 RECORD *NUNC PRO TUNC*
 BOTH FINAL JUDGMENT OF
 FORECLOSURE BY DEFAULT,
 EXECUTION AND WRIT OF
 ASSISTANCE AND DEED BY
 ASSIGNMENT GIVEN BY TAX
 DISTRICT TO ALBANY COUNTY
 LAND BANK CORPORATION
solely to the extent that Exhibit "A"
annexed to both said Judgment and
Deed include therein "PARCEL No.
ALBANY 5107-13-1074 (349 Orange
Street, City of Albany)"**

Index No. 5107-13

RJI No. CC-17-00001

IAS Judge: Surrogate Stacy L. Pettit
 Acting Albany County Court Judge

STATE OF NEW YORK)
) SS.:
 COUNTY OF ALBANY)

GREGORY A. RUTNIK, ESQ. being duly sworn, deposes and says:

1. I am an attorney-at-law duly admitted to practice in the State of New York
 employed as an Assistant County Attorney in the Office of the Albany County Attorney,
 attorney for the County of Albany, New York, Tax District ("Tax District"), and have in
 such capacity been assigned to conduct this proceeding on behalf of the Tax District.

RECEIVED
 2019 APR 30 AM 10:20
 ALBANY COUNTY CLERK

ALBANY COUNTY
 COMBINED COURT
 2019 APR 19 AM 9:50
 ALBANY, N.Y.

2. I am fully familiar with the facts, pleadings and proceedings relating to this proceeding upon personal knowledge and/or upon information and belief based upon conversations I have had with persons having personal knowledge or information derived by me from records kept by the Tax District in the ordinary course of business.

3. I make this affidavit based upon said knowledge and/or information and belief in support of the relief in this proceeding hereby requested by the Tax District.

4. This is a proceeding "in rem" brought by the Tax District pursuant to Article Eleven, Title 3, of the Real Property Tax Law ("RPTL") to foreclose delinquent real property tax liens against the parcels of real property on the abovesaid List of Delinquent Taxes ("List") including the abovesaid parcel, which parcel is more fully described in Exhibit "A" annexed hereto.

5. The Tax District is hereby applying *ex parte* to this Court pursuant to its inherent authority to at any time vacate its own judgments *nunc pro tunc* in the interest of justice and the exercise of its inherent discretion based upon the excusable mistake and/or error of a party thereto for an Order vacating, rendering null and void and canceling of record *nunc pro tunc* both the Order of this Court dated February 8, 2018 and entered in the Albany County Clerk's Office on February 8, 2018 granting the Tax District Summary Final Judgment of Foreclosure by Default, Execution and Writ of Assistance in this proceeding as to the above said parcel ("Foreclosure Judgment") and Exhibit "A of the Deed by Assignment as to the above said parcel subsequently given by the Tax District to the Albany County Land Bank Corporation dated March 29, 2019 recorded in the Albany County Clerk's Office as Instrument No. R2019-6878 on April 10, 2019 ("Deed by Assignment") solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)".

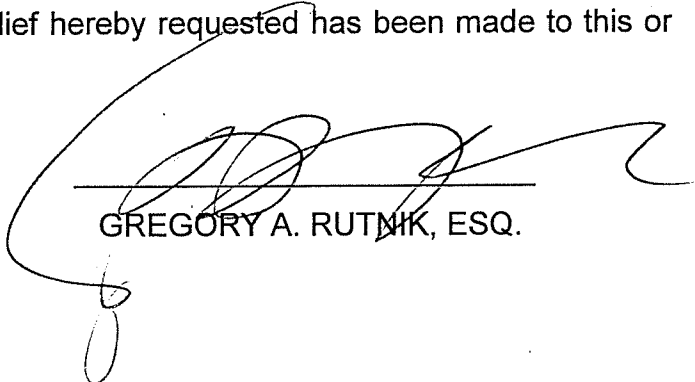
6. It appears that as the result of a clerical error the above said parcel was mistakenly included by the Tax District in Exhibit "A" of the above said Foreclosure

Judgment as having thereby been foreclosed upon when in fact it had not and as a result erroneously included in Albany County legislative Resolution 271 for the year 2018 adopted June 16, 2018 authorizing its sale and conveyance by said Deed by Assignment given by the Tax District to the Albany County Land Bank Corporation, despite the fact said parcel was in actuality owned and continues to be owned by Green Island Tabernacle and is listed on this Court's March 7, 2019 Tax District Summary Judgment Motion calendar as having been Answered and adjourned by its owner's attorney of record to June 6, 2019.

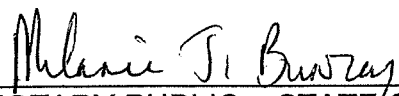
7. Under the circumstances of said clerical error and excusable mistake having been made by it, the Tax District respectfully requests that this Court in the interests of justice and the exercise of its inherent discretion grant the herewith being submitted proposed Order vacating, rendering null and void and cancelling of record *nunc pro tunc* both said Foreclosure Judgment and Deed by Assignment solely to the extent that Exhibit "A" annexed to both said Foreclosure Judgment and Deed by Assignment include therein the abovesaid parcel "PARCEL No. ALBANY 5107-13-1074 (349 Orange Street, City of Albany)".

8. There is no person or persons whose rights will be adversely affected if the relief hereby requested by the Tax District is granted, so as to thereby entitle them to notice of this application.

9. No prior application for the relief hereby requested has been made to this or any other Court.


GREGORY A. RUTNIK, ESQ.

Sworn to before me this
15th day of April, 2019


NOTARY PUBLIC – STATE OF NEW YORK

MELANIE J. BUNZEY
Notary Public, State of New York
Qualified in Albany County
No. 01BU6048902
Commission Expires Oct. 2, 2022

LIST OF DELINQUENT TAXES
FOR
CITY OF ALBANY, ALBANY COUNTY

PARCEL FORCLOSURE NO: 0001074
FORECLOSURE PROCEEDING INDEX NO: 5107-13
PARCEL LOCATION: 349 ORANGE ST, CITY OF ALBANY
PARCEL TAX MAP NUMBER: 06506400030320000000
PARCEL PROPERTY CLASS CODE: 210
OWNER LISTED ON DELINQUENT TAX BILL: GREEN ISLAND TABERNACLE.
REPUTED PARCEL OWNER(S): GREEN ISLAND TABERNACLE
AS OF 10/3/2013
MAILING ADDRESS: 353 ORANGE ST
ALBANY, NY 12206

DELINQUENT TAXES

<u>YEAR</u>	<u>TYPE OF TAX</u>	<u>AMOUNT DUE</u>
2012	PROPERTY	269.15

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

May 30, 2020

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative approval is requested to rescind the authorization granted pursuant to ABL Resolution 398 of 2019 to transfer tax foreclosed property located in the Town of Bethlehem, 56 Harrison Avenue to The Albany County Land Bank Corporation. This is pursuant to a county court order.

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:
Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



Legislation Text

File #: TMP-1696, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative action is requested to rescind the authorization per ABL Res. 19-398 to convey tax foreclosed property located in the Town of Bethlehem, 56 Harrison Avenue, Tax Map No. 86.13-4-31 to the Albany County Land Bank Corporation. This is being requested per a County court order which vacated the foreclosure judgement.

title

Click or tap here to enter text.

Date:	June 1, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☒ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

196

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Request for Legislative action to rescind the authorization to convey tax foreclosed property located in the Town of Bethlehem, 56 Harrison Avenue, Tax Map No. 86.13-4-31 to The Albany County Land Bank Corporation pursuant to ABL Resolution No. 398 of 2019. This property is part of a bankruptcy filing and the County vacated the judgment of foreclosure on this property, April 20, 2020.

RESOLUTION NO. 398

AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

Introduced: 9/9/19

By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to 25 parcels of real property in the Towns of Berne, Bethlehem, Coeymans, Colonie, Guilderland, Knox, New Scotland, and Rensselaerville, and

WHEREAS, The Albany County Land Bank Corporation (the “Land Bank”) has expressed an interest in acquiring these 25 parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interest of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, the Albany County Department of Management and Budget has forwarded spreadsheets detailing such parcels for conveyance to the Land Bank as annexed hereto, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the 25 parcels of real property located in the Towns of Berne, Bethlehem, Coeymans, Colonie, Guilderland, Knox, New Scotland, and Rensselaerville, as indicated on the spreadsheets annexed hereto, to the Land Bank, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 9/9/19

TOWN OF BERNE

Municipality	Street #	Street Name	Property Type	Tax Map #	Assessed Value
TOWN OF BERNE		PEASLEY RD	260-SEASONAL RESIDENCE	124-2-7	\$ 12,000.00
		1 PROPERTY			

TOWN OF BETHLEHEM

Municipality	Street #	Street Name	Property Type	Tax Map #	Assessed Value
TOWN OF BETHLEHEM	56	HARRISON AVE	210-ONE FAMILY RESIDENCE	86.13-4-41	\$ 227,200.00
TOWN OF BETHLEHEM		HUNTER RD	311-RESIDENTIAL VACANT LAND	85.11-3-18	\$ 18,200.00
TOWN OF BETHLEHEM		WESTERN AVE	311-RESIDENTIAL VACANT LAND	85.9-3-10	\$ 84,400.00
TOWN OF BETHLEHEM	40	ELM AVE EAST	270-MOBILE HOME	109.00-2-17	\$ 66,000.00
TOTAL OF 4 PROPERTIES					

TOWN OF COEYMANS

Municipality	Street	Street Name	Property Type	Text Map	Assessed Value
TOWN OF COEYMANS		GEDNEY HILL RD	322 RURAL VACANT LAND	178-1-23	\$ 32,300.00
TOWN OF COEYMANS		GEDNEY HILL RD	314 RURAL VACANT LAND	178-1-21	\$ 24,300.00
TOWN OF COEYMANS	99	FIRST ST	220-TWO FAMILY RESIDENCE	168-12-2-12	\$ 10,000.00
TOTAL OF 3 PROPERTIES					

TOWN OF COLONIE

Municipality	Street #	Street Name	Property Type	Tax Map #	Assessed Value
TOWN OF COLONIE	901	12TH ST	210-ONE FAMILY RESIDENCE	32.19-2-25	\$ 51,000.00
TOWN OF COLONIE	1208	CHESTNUT ST	311-RESIDENTIAL VACANT LAND	32.19-1-22	\$ 8,000.00
TOWN OF COLONIE	169	TROY SCHDY RD	330-COMMERCIAL VACANT LAND	32.19-5-14	\$ 3,500.00
TOWN OF COLONIE	23	OVERLOOK AVE	311-RESIDENTIAL VACANT LAND	31.8-2-24	\$ 600.00
TOWN OF COLONIE	22	SHERWOOD DR	210-ONE FAMILY RESIDENCE	30.2-2-48	\$ 86,000.00
TOWN OF COLONIE	48	VLY RD	210-ONE FAMILY RESIDENCE	29.11-5-13.1	\$ 73,500.00
TOTAL OF 6 PROPERTIES					

TOWN OF GUILDERLAND

TOWN OF GUILDERLAND	38	WHIPPLE WAY	210-ONE FAMILY RESIDENCE	3714-5-22	ASSESSOR VALUE
TOWN OF GUILDERLAND		BROOKVIEW DR	311-RESIDENTIAL VACANT LAND	28-5-2-1	\$ 175,200.00
					\$ 5,000.00

TOWN OF KNOX

Municipality	Street #	Street Name	Property Types	Tax Map #	Assessed Value
TOWN OF KNOX	943	THACHER PARK RD	260-SEASONAL RESIDENCE	70-3-5	\$ 25,200.00
TOWN OF KNOX		RT 156	314-RURAL VACANT LAND	47-2-26.71	\$ 21,192.00
TOTAL OF 2 PROPERTIES					

TOWN OF NEW SCOTLAND

Municipality	Street #	Street Name	Property Type	Tax Map #	Assessed Value
TOWN OF NEW SCOTLAND	2123	DOMINSKI LN	322-RURAL VACANT LAND	106-2-17.5	\$ 78,700.00
TOWN OF NEW SCOTLAND	726	DELAWARE TPKE	210-ONE FAMILY RESIDENCE	105-4-2-6	\$ 81,000.00
TOWN OF NEW SCOTLAND		NEW SALEM RD	311-RESIDENTIAL VACANT LAND	82-2-24	\$ 9,000.00
TOWN OF NEW SCOTLAND		SWIFT RD	311-RESIDENTIAL VACANT LAND	72-3-31.10	\$ 16,100.00
TOWN OF NEW SCOTLAND	198	NORMANSKILL RD	311-RESIDENTIAL VACANT LAND	62-4-11.1	\$ 49,100.00
TOTAL OF 5 PROPERTIES					

TOWN OF RENNELAERVILLE

Municipality	Street #	Street Name	Property Type	Tax Map #	Assessed Value
Town of Rensselaerville	2996	SR 145	270-MOBILE HOME	171-3-5	\$ 38,200.00
TOWN OF RENNELAERVILLE	3048	SR 145	210-ONE FAMILY RESIDENCE	171-2-19	\$ 60,100.00
TOTAL OF 2 PROPERTIES					

**STATE OF NEW YORK
COUNTY COURT**

COUNTY OF ALBANY

ALBANY COUNTY

APR 23 2020

ATTORNEY'S OFFICE

In the Matter of the "In Rem" Delinquent Tax Lien
Foreclosure Proceeding brought pursuant to Article
Eleven, Title 3 of the Real Property Tax Law

by

THE COUNTY OF ALBANY, NEW YORK, TAX
DISTRICT,

against

Those Parcels of Real Property described in the
LIST OF DELINQUENT TAXES filed on April 2, 2014
covering the TOWNS of BERNE, BETHLEHEM,
COEYMANS, COLONIE, GREEN ISLAND,
GUILDERLAND, KNOX, NEW SCOTLAND,
RENSSELAERVILLE and WESTERLO, Albany
County

**ORDER
VACATING, NULLIFYING
AND CANCELLING OF
RECORD *NUNC PRO TUNC*
MULTIPLE PARCEL FINAL
JUDGMENT OF FORECLOSURE
BY DEFAULT, EXECUTION AND
WRIT OF ASSISTANCE
GRANTED IN THIS PROCEEDING
ON MAY 20, 2018 ONLY IN SO
FAR AS IT INCLUDED PARCEL
No. BETHLEHEM 1579-14-54
(56 Harrison Avenue, Town of
Bethlehem)**

Index No. 1579-14

RJI No. CC-19-00002

IAS Judge: Surrogate Stacy L. Pettit
Acting Albany County Court Judge

The County of Albany, New York Tax District ("Tax District") having by its attorney
Albany County Attorney EUGENIA KOUTELIS CONDON (Gregory A. Rutnik, Esq., Assistant
County Attorney, of counsel) duly moved this Court *ex parte* for the relief hereby granted and
for such other, further and different relief as to the Court may seem just and proper,

NOW after reading and filing the affidavit of Assistant County Attorney Gregory A.
Rutnik, Esq. sworn to on April 18, 2020 in support of the Tax District's said Motion
satisfactorily establishing the mistake of the Tax District in having putatively unlawfully
"fraudulently" obtained so much of the multiple parcel Final Judgment of Foreclosure by
Default, Execution and Writ of Assistance of this Court in this proceeding dated May 20, 2019
and entered in the Albany County Clerk's Office on May 22, 2019 as granted said relief as to
the abovesaid parcel ("Foreclosure Judgment") as putatively having been obtained by the

Tax District in violation of Section 548 of the U.S. Bankruptcy Code in order to effectuate the U.S. Bankruptcy Court Order approving the sale of the above said parcel and due deliberation having been had thereon, pursuant to this Court's inherent discretionary equitable power to at any time vacate its own Order or Judgment made in an action or proceeding for sufficient reason shown based upon the mistake of a party thereto, it is hereby

UPON said Motion of said attorney for the Tax District,

ORDERED that so much of said multiple parcel Foreclosure Judgment in this proceeding dated May 20, 2019 and entered in the Albany County Clerk's Office on May 22, 2019 as granted said relief as to the above said parcel is on the basis of said U.S. Bankruptcy Court Order is hereby vacated, declared null and void and cancelled of record *nunc pro tunc* on the ground that it was putatively mistakenly unlawfully obtained by the Tax District in violation of section 548 of the Bankruptcy Code, and further

ORDERED that, any other provision hereof notwithstanding, this Order shall not take effect and be entered unless and until the full amount of the delinquent taxes owing to the Tax District on the above said parcel at the time of entry of said Foreclosure Judgment the full amount of the delinquent taxes owing to the Tax District on the above said parcel at the time of entry of said Foreclosure Judgment totaling the sum of \$69,129.58 are paid in full in one lump sum at the closing of the sale of the above said parcel, and further

ORDERED that the Albany County Clerk shall and is hereby directed to make an appropriate notation of the entry of this Order upon both the original of said filed multiple parcel Foreclosure Judgment and the electronic Index entry with respect thereto located within the Albany County Clerk's Office.

Signed this 20th day of April, 2020, at Albany, New York.

ENTER


 HON. STACY L. PETTIT, SURROGATE
 ACTING ALBANY COUNTY COURT JUDGE

DANIEL P. MCCOY
COUNTY EXECUTIVE



SHAWN A. THELEN
COMMISSIONER

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, SUITE 1200
ALBANY, NEW YORK 12207
OFFICE: (518) 447-5525
FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY
DEPUTY COMMISSIONER

May 26, 2020

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative approval is requested to rescind the authorization to transfer tax foreclosed property located in the Town of Westerlo, 158 State Route 143 to The Albany County Land Bank Corporation.

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

Shawn A. Thelen

cc:

Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



Legislation Text

File #: TMP-1681, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Legislative action is requested to rescind the authorization to convey tax foreclosed property located in the Town of Westerlo to The Albany County Land Bank Corporation

Click or tap here to enter text.

Date:	May 26, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael Mc Laughlin

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed)

Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment

- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

Request for Legislative action to rescind the authorization to convey tax foreclosed property located in the Town of Westerlo, 158 State Route 143, Tax Map No. 140.-1-14.1 to the Albany County Land Bank Corporation pursuant to ABL Resolution No. 69 of 2020. The foreclosure judgment granted November 20, 2019 on this property was in error and the County will be vacating this judgment.

Per Assistant County Attorney Gregory Rutnik "It has been discovered that Parcel No. 2651-15-35 (158 State Route 143, Town of Westerlo owned by Booker McCollum) was erroneously included in both Exhibit "A" of the Final Judgment of Foreclosure entered by the County on November 25, 2019 in the Index No. 2615-15 TOWNS foreclosure proceeding as having been unredeemed and unanswered and in Resolution 2020-69 authorizing the transfer of said parcel to the Land Bank - when in fact said parcel had been answered and should have instead been included in Exhibit "B" of said Judgment of Foreclosure and therefore not included in Resolution 2020-69 for transfer to the Land Bank. Under the circumstances, action should immediately be taken to rescind Resolution 2020-69 in so far as it includes Parcel No. 2651-15-35 (158 State Route 143, Town of Westerlo owned by Booker McCollum) so that said parcel is not conveyed to the Land Bank."

RESOLUTION NO. 69

AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

Introduced: 2/10/20

By Audit and Finance Committee and Mr. Ricard:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to 37 parcels of real property in the Cities of Albany and Cohoes and the Towns of Berne, Bethlehem, Coeymans, Colonie, Green Island, Guilderland, New Scotland, Rensselaerville, and Westerlo, and

WHEREAS, The Albany County Land Bank Corporation (the “Land Bank”) has expressed an interest in acquiring these 37 parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interest of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, the Albany County Department of Management and Budget has forwarded spreadsheets detailing such parcels for conveyance to the Land Bank as annexed hereto, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the 37 parcels of real property located in the Cities of Albany and Cohoes and the Towns of Berne, Bethlehem, Coeymans, Colonie, Green Island, Guilderland, New Scotland, Rensselaerville, and Westerlo, as indicated on the spreadsheets annexed hereto, to the Land Bank, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 2/10/20

Municipality	Street #	Street Name	Class Code	Tax Map #	Assessed Value
CITY OF ALBANY	40	N SWAN ST	330-COMMERCIAL VACANT LAND	65.74-1-35	\$ 6,500.00
CITY OF ALBANY	38	N SWAN ST	330-COMMERCIAL VACANT LAND	65.74-1-34	\$ 7,300.00
CITY OF ALBANY	45	LIEBEL ST	220-TWO FAMILY RESIDENCE	76.71-3-36	\$ 95,000.00
CITY OF ALBANY	54	CLINTON AVE	311-VACANT LAND	76.26-1-11	\$ 2,100.00
CITY OF ALBANY	273	NORTHERN BLVD	220-TWO FAMILY RESIDENCE	65.57-2-70	\$ 92,000.00
CITY OF COHOES	13	MAPLE LN	210-ONE FAMILY RESIDENCE	10.13-1-37	\$ 76,600.00
TOWN OF BERNE	783	WOODSTOCK RD	582-CAMPING FACILITIES	103.10-2-37	\$ 13,900.00
TOWN OF BETHLEHEM		S ALBANY RD	311-RESIDENTIAL VACANT LAND	132.00-2-10	\$ 25,600.00
TOWN OF BETHLEHEM		BROOKHAVEN LN	311-RESIDENTIAL VACANT LAND	109.10-1-130	\$ 2,000.00
TOWN OF BETHLEHEM	237	WEMPLE RD	311-RESIDENTIAL VACANT LAND	109.06-1-23	\$ 97,100.00
TOWN OF BETHLEHEM	510	KENWOOD AVE	210-ONE FAMILY RESIDENCE	85.11-6-27	\$ 229,400.00
TOWN OF BETHLEHEM		MONROE AVE	311-RESIDENTIAL VACANT LAND	63.12-3-37	\$ 5,600.00
TOWN OF BETHLEHEM		MONROE AVE	311-RESIDENTIAL VACANT LAND	63.12-3-36	\$ 5,600.00
TOWN OF BETHLEHEM		MONROE AVE	311-RESIDENTIAL VACANT LAND	63.12-3-35	\$ 5,600.00
TOWN OF COEYMANS	959	SR 143	312-RESIDENTIAL LAND W/SML IMPRVMT	167.-3-12.2	\$ 33,200.00
TOWN OF COEYMANS	957	SR 143	425-BAR	167.-3-12.1	\$ 125,500.00
TOWN OF COEYMANS	268	STARR RD	210-ONE FAMILY RESIDENCE	155.-1-57	\$ 98,600.00
TOWN OF COLONIE	5	SCHUYLER HILLS RD	210-ONE FAMILY RESIDENCE	43.4-4-3	\$ 220,000.00
TOWN OF COLONIE	1366	CENTRAL AVE	411-APARTMENTS	42.17-6-31	\$ 50,000.00
TOWN OF COLONIE	19	CANAL ST	311-RESIDENTIAL VACANT LAND	32.8-4-1	\$ 400.00
TOWN OF COLONIE	13	CONWAY CIR	210-ONE FAMILY RESIDENCE	32.3-4-27	\$ 267,000.00
TOWN OF COLONIE	972	WVLT SHAKER RD	311-RESIDENTIAL VACANT LAND	29.2-3-40	\$ 100.00
TOWN OF COLONIE	74	MILLER RD	311-RESIDENTIAL VACANT LAND	19.2-3-34.42	\$ 3,000.00
TOWN OF COLONIE	880	TROY SCHDY RD	311-RESIDENTIAL VACANT LAND	18.2-6-46	\$ 106,000.00
TOWN OF COLONIE	21	SUNFLOWER LN	311-RESIDENTIAL VACANT LAND	17.18-2-25	\$ 1,000.00
TOWN OF COLONIE	151	CONSAUL RD	210-ONE FAMILY RESIDENCE	17.4-5-9	\$ 96,300.00
TOWN OF COLONIE	66	FONDA RD	210-ONE FAMILY RESIDENCE	5.3-2-7	\$ 103,900.00
TOWN OF COLONIE	71	MORRIS ROAD	555 - Riding Stables	16.4-4-14	\$ 159,000.00
TOWN OF GREEN ISLAND	54	JAMES ST	220-TWO FAMILY RESIDENCE	20.76-4-13	\$ 72,900.00
TOWN OF GUILDERLAND		ALVINA BLVD	311-RESIDENTIAL VACANT LAND	51.08-6-2	\$ 9,000.00
TOWN OF NEW SCOTLAND	154	CLIPP RD	210-ONE FAMILY RESIDENCE	106.-2-6	\$ 40,000.00
TOWN OF NEW SCOTLAND	12	WEST ST	311-RESIDENTIAL VACANT LAND	61.15-1-19	\$ 12,400.00
TOWN OF RENSSELAERVILLE		FISH RD	314-RURAL VACANT LAND	181.-2-41	\$ 12,300.00
TOWN OF RENSSELAERVILLE		SR 145	322-RURAL VACANT LAND	171.-1-10.10	\$ 22,500.00
TOWN OF RENSSELAERVILLE		SR 81	314-RURAL VACANT LAND	181.-2-63	\$ 1,000.00
TOWN OF WESTERLO	158	ST RTE 143	210-ONE FAMILY RESIDENCE	140.-1-14.1	\$ 1,050.00
TOWN OF WESTERLO	372	CTY RTE 412	210-ONE FAMILY RESIDENCE	128.-2-19	\$ 1,600.00
			Albany-5		
			Cohoes-1		
			Berne-1		
			Bethlehem-7		
			Coeymans-3		
			Colonie-11		
			Green Island-1		
			Guilderland-1		
			New Scotland-2		
			Rensselaerville-3		
			Westerlo-2		
			TOTAL PROPERTIES-37		