County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Meeting Agenda

Thursday, July 25, 2024

6:30 PM

Harold L. Joyce Albany County Office Building
Cahill Room - First Floor

Audit and Finance Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES

2. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES

CURRENT BUSINESS:

3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “L” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

4. LOCAL LAW NO. “L” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

5. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF STATE REGARDING THE NY SWIMS LIFEGUARD GRANT PROGRAM

6. AUTHORIZING CORRECTIONS TO THE TAX ROLL FOR THE CITIES OF ALBANY AND COHOES

7. MAKING A SEQR DETERMINATION AND AUTHORIZING THE PURCHASE OF PARCELS OF REAL PROPERTY IN THE CITY OF ALBANY AND AMENDING THE 2024 ALBANY COUNTY BUDGET

8. MAKING A SEQR DETERMINATION AND AUTHORIZING THE PURCHASE OF A PARCEL OF REAL PROPERTY LOCATED AT 52 HOWARD STREET (TAX MAP NO. 76.42-1-12.1) IN THE CITY OF ALBANY AND AMENDING THE 2024 ALBANY COUNTY BUDGET

9. MAKING A SEQR DETERMINATION AND AUTHORIZING THE PURCHASE OF PARCELS OF REAL PROPERTY IN THE TOWN OF BETHLEHEM AND AMENDING THE 2024 ALBANY COUNTY BUDGET

10. AMENDING RESOLUTION NO. 140 FOR 2024 REGARDING NEW YORK STATE HOMES AND COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT FUNDING

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Meeting Minutes

Thursday, June 27, 2024

6:30 PM

Harold L. Joyce Albany County Office Building
Cahill Room - First Floor

Audit and Finance Committee

PREVIOUS BUSINESS:

Present: Wanda F. Willingham, Frank J. Commisso, Gary W. Domalewicz, Raymond F. Joyce, Lynne Lekakis, Mark E. Grimm and Paul J. Burgdorf

Excused: Dustin M. Reidy and William M. Clay

1. APPROVING PREVIOUS MEETING MINUTES

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

2. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES

   This proposal was tabled at the request of the Sponsor.

CURRENT BUSINESS:

3. AMENDING THE 2024 ALBANY COUNTY BUDGET: NEW YORK STATE HEALTH CARE AND MENTAL HYGIENE WORKER BONUS PROGRAM – VESTING PERIOD V

   A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

4. AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ALBANY REGARDING CASE MANAGEMENT SERVICES FOR THE LAW ENFORCEMENT ASSISTED DIVERSION PROGRAM

   A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

5. BOND AUTHORIZATION FOR VARIOUS NON-ROADWAY PAVING PROJECTS

   A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

6. AUTHORIZING CANCELLATION OF A CERTAIN UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIEN ON 936 SR 145 IN THE TOWN OF RENSSELAERVILLE AND CHARGE BACK OF THE AMOUNT CREDITED IN CONNECTION WITH SAID LIEN

   A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

7. AUTHORIZING CORRECTIONS TO THE TAX ROLL FOR THE CITY OF ALBANY

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

8. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 446 CR 360 (TAX MAP NO. 148.-1-50.30) IN THE TOWN OF RENSSELAERVILLE

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

9. DECLARING A PORTION OF CR 103 IN THE TOWN OF COEYMANS NO LONGER NECESSARY FOR PUBLIC USE

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

10. AUTHORIZING A LICENSE AGREEMENT WITH STEWART'S SHOPS CORP. REGARDING THE USE OF PROPERTY AT 309 DELAWARE AVENUE IN THE TOWN OF DELMAR

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

LOCAL LAW "A" FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 106 OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS FOR FACILITIES WITHIN ALBANY COUNTY WHERE THE LOCAL GOVERNMENTAL UNIT IDENTIFIED BY NEW YORK STATE IS THE ALBANY COUNTY DEPARTMENT OF MENTAL HEALTH

Introduced: 2/12/24
By Mclean Lane:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Article Creation.

Chapter 106, Article II, **Local Governmental Unit**, is hereby created.

Section 2. § 106-9 -- Legislative Purpose and Intent.

This legislation is to ensure that when an application is received by the Albany County Department of Mental Health where they are identified by New York State as the local governmental unit, before any decisions are made by County or State authorities, Albany County residents are offered the opportunity to be informed.

Section 3. § 106-10 - Notice of Receipt of Application to Involved Representatives.

A. Within 10 days of receipt of an application or notice of application from a New York State Agency where the Albany County Department of Mental Health is identified as the "local governmental unit" the Commissioner of the Department of Mental Health shall provide to the following representatives a copy of the application and/or notice of application from OASAS, and allow 30 days for those representatives to submit comment on the proposed facility:

1) The Albany County Legislator who represents the legislative district which contains the proposed location or facility; and

2) Each City, Town, or Village Mayor or Supervisor who represents the municipality which contains the proposed location or facility; and

3) Each City, Town, or Village Council or Board member who represents the municipality which contains the proposed location or facility.

B. All notifications pursuant to this Section shall be sent via regular mail, with an electronic mail following which shall contain a digital version or electronic link to

the application and/or notice of application along with all accompanying documents and information.

[C. No notice is required pursuant to this Local Law when the proposed application is only to re-locate an already existing facility within the same municipality in the County of Albany.**]**

Section 4. § 106-11 - Notice of Public Meeting to Involved Representatives.

A. Within 5 days of the posting of a notice of a public meeting agenda of the Behavioral Health Services Advisory Council, the Albany County Community Services Board, and/or the Albany County Alcohol and Substance Abuse Subcommittee where an application to locate a facility to treat substance use disorders in the County of Albany is on the agenda, the Commissioner of the Department of Mental Health shall provide a copy of that notice to the following representatives:

1) The Albany County Legislator who represents the legislative district which contains the proposed location or facility; and

2) Each City, Town, or Village Mayor or Supervisor who represents the municipality which contains the proposed location or facility; and

3) Each City, Town, or Village Council or Board member who represents the municipality which contains the proposed location or facility.

B. All notifications pursuant to this Section shall be sent via regular mail, with an electronic mail following which shall contain a digital version or electronic link to the application and/or notice of application along with all accompanying documents and information.

[C. No notice is required pursuant to this Local Law when the proposed application is only to re-locate an already existing facility within the same municipality in the County of Albany.**]**

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 6. SEQRA Compliance.

This County Legislature determines that this local law constitutes a "Type II action" pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 7. Effective Date.

This local law shall take effect immediately after its filing with the Secretary of State.

Referred to Law and Health Committees – 2/12/24
Favorable Recommendation Law Committee – 4/24/24
Favorable Recommendation Health Committee – 4/25/24
Favorable Recommendation Law Committee – 5/13/24
On long roll call vote the following members voted in favor: Beston, Burgdorf, Cleary, Collins, Commisso, Conway, Cunningham, Domalewicz, Drake, Efekoro, Ethier, Feeney, Fein, Grimm, A. Joyce, R. Joyce, Kuhn, Laurilliard, Lockart, Mauriello, McLaughlin, Pedo, Perlee, Plotsky, Reidy, Ricard, Robinson, Rosano, Simpson, Smith, Ward and Whalen – 32
Those opposed – Lekakis and Miller – 2
Local Law was adopted – 5/13/24

LOCAL LAW NO. "L" FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

Introduced: 7/8/24
By Reidy:

A Local Law creating Chapter 112 of the Code of the County of Albany, entitled **Arts and Culture**, and Article 1 of such Chapter, entitled **Public Art Fund**, to provide public financial support for public art in Albany County.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Chapter Creation.

Chapter 112, **Arts and Culture** is hereby created.

Chapter 112, Article I, **Public Art Fund**, is hereby created.

Section 2. § 112-1, Title.

This Local Law shall be known as the "Albany County Matthew Peter Public Art Law."

Section 3. § 112-2, Legislative Intent.

The Albany County Legislature hereby finds and determines that art is essential to the human experience and should be accessible to all County residents.

The Legislature further finds and determines that, in addition to aesthetic value, public art installations provide a community-building effect that evoke empathy, understanding, identity, and a sense of belonging.

The Legislature further finds and determines that public art is an indispensable tool combat blight, promote mental and physical health, deter criminal activity, and increase public safety in communities.

The Legislature further finds and determines that public art allows the community to participate in the creation of public spaces and is a powerful way to increase neighborhood pride and identity, foster social bonds, and provide access to art for all people regardless of their circumstance.

The Legislature further finds and determines that public art brings economic benefits such as increased tourism and new jobs by encouraging pedestrian activity, improving the viability of local businesses, and stimulating the local creative economy.

The Legislature further finds and determines that local artists should be valued for their work and provided opportunities to use their essential talents and skills to better the County in exchange for fair compensation.

The Legislature further finds and determines that due to the aforementioned reasons, Albany County would benefit greatly from the creation of a funding mechanism for public art related to certain County capital construction projects.

Section 4. § 112-3, Definitions.

"Public Art" includes any application of artistic skill to the production of tangible objects according to aesthetic principles. "Public Art" includes, but is not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, fountains, streetscapes, drawings, ceramics, topiary, and other decorative public use features.

"Capital Projects" includes:

(a) New construction of a building or of additional space added to a building; and/or
(b) Any reconstruction or renovation of a building or part of a building, whether financed through the issuance of bonds, pay-as-you-go funding, or other non-County funding sources.

"Projects" shall not include those which are solely for rehabilitation of equipment.

"Cost of a Project" includes design, architectural and engineering fees, site work, construction, and contingency allowances for a project.

"Public Art Fund" means a fund to which 1 percent of the value of a new capital project, up to a maximum of $10,000 for each capital project, will be allocated to fund public art initiatives in Albany County.

"Board" refers to the Public Art Board of Directors.

"Master Public Art Plan" means the annual plan drafted by the Public Art Committee to ensure a transparent, culturally-competent acquisition program and clear implementation guidelines.

Section 5. § 112-4, Public Art Fund.

Capital projects that are $250,000 or greater, whether funded by capital funds or operating funds, shall include the appropriation of funds equal to 1 percent of the cost of the project, with said funds to be appropriated for the acquisition, maintenance, and management of public art, except where the appropriating resolution, bond resolution, or budget may provide otherwise; provided, however, that, where applicable, such amount shall be reduced to the extent that state funds, Federal funds, and funding derived from water rates, water quality treatment charges, sewer rents and sewage, wastewater and refuse collection charges in the County, are not authorized to be used for such purpose. The maximum allocated for public art shall be $10,000 from each eligible capital project.

A public art fund shall be created by the Department of Management and Budget to hold funds for implementation of the projects finalized in the Master Public Art Plan and/or projects chosen by the Public Art Board of Directors. The fund shall be known as the "Matthew Peter Public Art Fund" in memory of the late Legislator Matthew Peter who championed public art projects in the City of Albany.

The use of any funds appropriated for any project for public art purposes shall be in accordance with the Master Public Art Plan, except that any such funds provided from the proceeds of County serial bonds or notes shall be used only for public art purposes related to the project for which such bonds or notes were authorized. To the extent the total appropriation of a project is not used for the acquisition of works of art for said project, upon the approval of the County Legislature, the remainder may be used for:

(a) Arts program administrative costs, insurance costs, or the repair and maintenance of any artwork acquired under this law; or
(b) Supplementing other appropriations for the acquisition of artwork under this law or to place artwork in or near government facilities which have already been constructed.

Section 6. § 112-5, Public Art Board of Directors.

A. There shall be Public Art Board of Directors, henceforth referred to as the Board, consisting of five voting members. The County Executive shall appoint one member, the Majority Leader of the Legislature shall appoint two members, the Chair of the Legislative Black Caucus shall appoint one member, and the full County Legislature shall appoint one member. All five members shall be subject to confirmation by the Legislature. The Board shall appoint a Chair from its membership to serve a one-year term.

B. All Board members shall be experts in the fields of art, art history, architecture, or architectural history. Members must be residents of Albany County and may not be a County employee or officer or serve on any other

County advisory boards. Members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least 10 years of experience creating professional art.

C. In addition to the five voting Board members, the County Executive, the Chair of the Legislature, the Chair of the Legislature's Public Works Committee, and the Majority Leader of the Legislature, or their designees, shall serve as ex officio members of the Board.

D. The Board shall choose the method of acquisition of public art for each project. Methods of acquisition may include, but are not limited to, projects of preexisting art, direct commission, art competition, request for proposals, or acceptance of donations.

E. For each project, the Board may convene a panel comprised of at least three Board members, one of whom shall be designated panel Chair. The Board may also appoint additional art experts to serve as members of the project panel. The Board may appoint additional members to the panel to serve as advisors, such as community representatives, County employees, project managers, or others who will have frequent contact with the public art when it is completed. An architect or engineer shall be an ex officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the Board on the nature of the public art to be considered for the project, the method of acquisition for each project, the specific artist and the specific art for each project, and what portion of the budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.

F. The acquisition and siting of all artwork shall be subject to legislative approval.

G. Ownership and title of all works of public art acquired by the County under this Local Law shall be vested in the County of Albany.

H. The Board shall create by-laws, subject to legislative approval, which will govern the conduct and operations of the Board.

I. The Albany County Department of Economic Development and Planning shall serve as coordinator for the program and provide staff support to the Board.

J. The Board shall deliver an annual report to the County Legislature detailing its operations, Master Public Art Plan, and art created under its authority.

Section 7. § 112-6, Master Public Art Plan.

The Board shall prepare an annual Master Public Art Plan ("Plan"), subject to legislative approval, to ensure a transparent, culturally-competent acquisition program and clear implementation guidelines. The Board shall hold a public hearing on the Master Public Art Plan prior to its approval. The Master Public Art Plan shall be approved by the Board and submitted to the legislature annually by March 1.

(a) All acquisitions and sales of public art shall be in accordance with the Master Public Art Plan. The Board shall recommend acquisitions and the hiring of artists in addition to overseeing the public education and curatorial aspects of the acquisition program.

(b) The Plan shall make all efforts to be equitable and include artists from a variety of different backgrounds for public art projects. The siting of these projects shall be County-wide, but shall include efforts to place art in underserved areas.

(c) The Plan shall make all efforts to utilize artists who are County residents.

(d) The Plan shall emphasize the importance of fair and adequate compensation for artists.

(e) The Plan shall be voted on by the Legislature and presented to the Department of Economic Development and Planning by May 1st each year.

(f) The Board shall, through the Plan and its acquisition program, make best efforts to call for artist submissions and publicize the intention to find appropriate art within 30 days of the Plan's approval each year.

(g) Final contracts to authorize public art contracts and the hiring of artists are subject to approval by the Albany County Legislature.

Section 8. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this Local Law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 9. SEQRA Compliance.

This County Legislature determines that this Local Law constitutes a "Type II action" pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 10. Effective Date.

This Local Law shall take effect immediately following its filing with the Office of the Secretary of State.

RESOLUTION NO. 420

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "L" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

Introduced: 7/8/24
By Reidy:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "L" for 2024, "A Local Law of the County of Albany, New York Establishing Chapter 112 of the Albany County Code to Create a Public Art Fund" to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, July 23, 2024, with participation information to be made available on the Albany County website, 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.

DANIEL P. MCCOY
COUNTY EXECUTIVE

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

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

June 27, 2024

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Chairwoman Cunningham:

The Albany County Department of Parks and Recreation is seeking permission to apply for the New York Statewide Investment in More Swimming (NY SWIMS) Lifeguard Grant Program. This Grant Program is intended to address a critical shortage of staff lifeguards (including lifeguards contracted through third parties, or contracted lifeguards), available at public locations, including pools and beaches in New York State municipalities. Albany County will work with their municipalities to, identify public swimming locations and outline how funding will increase the number of staff and/or contracted lifeguards, and/or expand operating hours. Albany County is eligible for $50,000.

Sincerely,

Daniel P. McCoy
Albany County Executive

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Legislation Text

File #: TMP-5674, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Authorizing the Submission of a Grant Application for NY SWIMS Lifeguard Grant Program funding.

Date: 06/27/2024
Department: Parks and Recreation
Attending Meeting: Bakary Janneh
Submitted By: Kevin H. Butterfield
Title: Policy Analyst
Phone: 518-447-5675

Purpose of Request: Other (State if not Listed) Permission to apply for grant funding.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
New York State Department of State's Division of Local Government Services (DLGS)

Term: (Start/end date or duration) April 1, 2024, through September 30, 2025
Amount/Raise Schedule/Fee: $50,000

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☐ No ☒
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☐ No ☒

Source of Funding - (Percentages)

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

County Budget Accounts:
Revenue Account and Line: Enter text.
Revenue Amount: Enter text.
Appropriation Account and Line: Enter text.
Appropriation Amount: Enter text.

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:

Competitive Bidding Exempt: Yes ☐ No ☒
# of Response(s): Enter text.
# of MWBE: Enter text.
# of Veteran Business: Enter text.
Bond Resolution No.: Enter text.
Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:
Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Parks and Recreation is seeking permission to apply for the NY SWIMS Lifeguard Grant Program. This Grant Program is intended to address a critical shortage of staff lifeguards (including lifeguards contracted through third parties, or contracted lifeguards), available at public locations, including pools and beaches in New York State municipalities. Albany County will work with their municipalities to, identify public swimming locations and outline how funding will increase the number of staff and/or contracted lifeguards, and/or expand operating hours. Albany County is eligible for $50,000.

New York State Department of State
2024 Statewide Investment in More Swimming (SWIMS)
Discretionary Contract

The New York State Department of State's Division of Local Government Services (DLGS) will make approximately $5 million available in reimbursable grants to municipalities through counties and certain large cities to incentivize lifeguard recruitment and retention. The NY SWIMS Lifeguard Grant Program is intended to address a critical shortage of staff lifeguards (including lifeguards contracted through third parties, or contracted lifeguards), available at public locations, including pools and beaches in New York State municipalities. As part of the application process, an eligible list of counties and cities has been established (see below). The counties listed will work with their municipalities to, and the cities listed will, identify public swimming locations and outline how funding will increase the number of staff and/or contracted lifeguards, and/or expand operating hours.

SWIMS Lifeguard Grant funding may be used to cover project costs related to safe swimming opportunities at public swimming locations including:

- Advertising for lifeguard positions;
- Lifeguard retention and referral bonuses;
- Supplementing hourly lifeguard wages; and,
- Lifeguard salary increases.

Counties and cities listed in the eligibility chart below may be NY SWIMS grant recipients. However, as part of an application counties should solicit input from constituent local governments (i.e., cities, towns, villages) to identify lifeguard assistance opportunities, including those in distressed communities.[1] DOS will make one award per eligible county or city; agreements with partner local governments (or project partners) will be the responsibility of the eligible counties and cities listed in the eligibility chart.

The Contract term and period of funding will be April 1, 2024, through September 30, 2025.

This will be a reimbursement-based grant contract and no advances will be made.

All requests for funding must be received by close of business, July 26, 2024, to the Division of Local Government Services at SWIMS@dos.ny.gov. Requests received after this date may not be considered and no extensions will be granted. To formally request grant funds of up to the amount on the accompanying eligibility list, please submit the completed SWIMS application by email confirming your county's or city's interest in the Program and the location(s) of public swimming areas your county or city plans to support with grant-funded lifeguards. All applicants must complete the NY SWIMS application, which includes Parts 1, 2 and 3. Note Part 3 is the Budget and Workplan. A list of eligible municipalities (i.e., counties and cities) is included in this notice. Funding cannot be distributed to eligible municipalities without the completion of all above information and the execution of the associated contract. The Department of State reserves the right to utilize unused funds at a future date.

DLGS will host a webinar on Tuesday, June 4, 2024, at 2:00 PM to answer questions related to the new NY SWIMS Lifeguard Grant Program. Information regarding the webinar will be forthcoming by email. Participants are encouraged to submit questions prior to June 4. All questions related to the NY SWIMS Lifeguard Grant Program may be submitted to: SWIMS@dos.ny.gov.

[1] https://data.gis.ny.gov/datasets/e7e526e3bac5461a8453816b9bfacef4/explore

Upon procurement approval, the Division of Local Government Services will issue a contract package. Upon receipt of the contract package, please return completed forms within **two weeks** of receipt to SWIMS@dos.ny.gov.

Eligible costs are those costs that are incurred to directly support increasing safe swimming opportunities. This includes advertising, personal services, and fringe benefits. Counties and cities listed on the eligibility list are each permitted to submit two reimbursement vouchers for the contract approved for this procurement; reimbursement for expenses incurred after September 30, 2025 will be ineligible. All reimbursement vouchers and supporting documentation must be submitted to DLGS by December 31, 2025.

Eligibility List

NYS	Maximum Funding Amount
City of Albany	$50,000
Albany County	$50,000
Allegany County	$25,000
Broome County	$50,000
City of Buffalo	$50,000
Cattaraugus County	$25,000
Cayuga County	$25,000
Chautauqua County	$50,000
Chemung County	$30,000
Chenango County	$25,000
Clinton County	$25,000
Columbia County	$25,000
Cortland County	$25,000
Delaware County	$25,000
Dutchess County	$50,000
Erie County	$125,000
Essex County	$20,000
Franklin County	$25,000
Fulton County	$25,000
Genesee County	$25,000
Greene County	$25,000
Hamilton County	$20,000
Herkimer County	$25,000
Jefferson County	$50,000
Lewis County	$20,000
Livingston County	$25,000
Madison County	$25,000

Monroe County	$125,000
Montgomery County	$25,000
Nassau County	$325,000
New York City	$2,000,000
Niagara County	$50,000
Oneida County	$50,000
Onondaga County	$50,000
Ontario County	$50,000
Orange County	$50,000
Orleans County	$20,000
Oswego County	$50,000
Otsego County	$25,000
Putnam County	$30,000
Rensselaer County	$50,000
City of Rochester	$50,000
Rockland County	$50,000
Saratoga County	$50,000
Schenectady County	$50,000
Schoharie County	$20,000
Schuyler County	$20,000
Seneca County	$20,000
St. Lawrence County	$50,000
Steuben County	$30,000
Suffolk County	$325,000
Sullivan County	$25,000
City of Syracuse	$50,000
Tioga County	$25,000
Tompkins County	$50,000
Ulster County	$50,000
Warren County	$25,000
Washington County	$25,000
Wayne County	$30,000
Westchester County	$125,000
Wyoming County	$20,000
Yates County	$20,000
City of Yonkers	$50,000

DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
REAL PROPERTY TAX SERVICE AGENCY
112 SATE STREET, ROOM 1340
ALBANY, NEW YORK 12207
OFFICE: (518) 487-5291
FAX: (518) 447-2503
www.albanycounty.com

MICHAEL McGUIRE
DIRECTOR

June 20, 2024

Honorable Joanne Cunningham, Chairperson
Albany County Legislature
112 State Street, Rm 710
Albany, NY 12207

Re: RP-554 Application for Corrected Tax Roll
Albany County Land Bank – Various Properties located within Albany County

Dear Chairperson Cunningham,

The Albany County Land Bank has submitted 3 Application(s) for Corrected Tax Roll to correct erroneous 2024 property tax bills issued for properties which they own. The enclosed spreadsheet outlines the properties and amounts to be corrected.

The Albany County Land Bank was established under Article 16 of the NYS Not-For-Profit Corporations Law, the Land Bank Act. All property owned by the Albany County Land Bank is exempt from taxation upon acquisition of the property. Additionally the Land Bank Act also exempts the Albany County Land Bank from all special ad valorem levies, special assessments, sewer rents and user charges. Due to a unlawful entry error as defined under NYS RPTL §550 (7)(a) wholly tax exempt property was entered on the taxable portion of the 2023 assessment roll and subsequent tax rolls.

Real Property Tax Law §554 allows for the correction of unlawful entry errors on the assessment and tax rolls. I recommend that the Albany County Legislature approve the correction to the tax rolls and authorize the reissue of corrected bills in the amounts indicated on the enclosed spreadsheet.

Sincerely,

Michael McGuire, IAO, CCD
Real Property Tax Service Agency

CC: Dennis Feeny, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Legislation Text

File #: TMP-5624, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION
Description (e.g., Contract Authorization for Information Services):
REQUEST TO AUTHORIZE THE CORRECTION OF 2024 PROPERTY TAX BILLS FOR PROPERTIES OWNED BY THE ALBANY COUNTY LAND BANK

Date: 06/20/2024
Department: Real Property
Attending Meeting: Michael McGuire
Submitted By: Michael McGuire
Title: Director
Phone: 518-487-5292

Purpose of Request: Other (State if not Listed) Tax Bill Correction

CONTRACT TERMS/CONDITIONS:
Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:
Is there a Fiscal Impact: Yes ☐ No ☒
Anticipated in Budget: Yes ☐ No ☐
Spreadsheet attached: Yes ☐ No ☐

Source of Funding - (Percentages)
Federal: Enter text. County: Enter text.
State: Enter text. Local: Enter text.

County Budget Accounts:
Revenue Account and Line: Enter text.
Revenue Amount: Enter text.
Appropriation Account and Line: Enter text.
Appropriation Amount: Enter text.

ADDITIONAL INFORMATION:
Mandated Program/Service: Yes ☒ No ☐
If Mandated, Cite Authority: NYS RPTL §554

Request for Bids / Proposals:

Competitive Bidding Exempt:	Yes ☐ No ☐
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☐

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date:	Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Land Bank has submitted 3 Application(s) for Corrected Tax Roll to correct erroneous 2024 property tax bills issued for properties which they own. The enclosed spreadsheet outlines the properties and amounts to be corrected.

The Albany County Land Bank was established under Article 16 of the NYS Not-For-Profit Corporations Law, the Land Bank Act. All property owned by the Albany County Land Bank is exempt from taxation upon acquisition of the property. Additionally the Land Bank Act also exempts the Albany County Land Bank from all special ad valorem levies, special assessments, sewer rents and user charges. Due to a unlawful entry error as defined under NYS RPTL §550 (7)(a) wholly tax exempt property was entered on the taxable portion of the 2023 assessment roll and subsequent tax rolls.

Real Property Tax Law §554 allows for the correction of unlawful entry errors on the assessment and tax rolls. I recommend that the Albany County Legislature approve the correction to the tax rolls and authorize the reissue of corrected bills in the amounts indicated on the enclosed spreadsheet.

Municipality	Name of Recipient	Location of Property	Tax Map Number	Deed	Date Acquired	Bill Year	Original Tax Bill Amount	Correct Tax Bill Amount	Justification for Request
Albany	Albany County Land Bank	147 Melrose Ave	64.25-2-4	R2024-1270	12/11/2023	2024	$ 3,534.89	$ 357.08	ACLB properties are tax exempt upon acquisition and tax exempt in subsequent years
Cohoes	Albany County Land Bank	108 Congress St	10.75-2-9	R2023-19309	10/26/2023	2024	$ 1,373.17	$ -	ACLB properties are tax exempt upon acquisition and tax exempt in subsequent years
Cohoes	Albany County Land Bank	114 Ontario St	11.61-2-4	R2023-19313	10/26/2023	2024	$ 1,697.84	$ -	ACLB properties are tax exempt upon acquisition and tax exempt in subsequent years

Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-554
(12/19)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners: Albany County Land Bank Corporation	
Mailing address of owners *(number and street or PO box)*: 111 Washington Ave Suite 100	Location of property *(street address)*: 147 Melrose Avenue
City, village, or post office: Albany State: NY ZIP code: 12201	City, town, or village: Albany State: NY ZIP code: 12203
Daytime contact number: 518-407-0309 / Evening contact number:	Tax map number of section/block/lot: Property identification *(see tax bill or assessment roll)*: 64.25-2-4
Account number *(as appears on tax bill)*: 27180	Amount of taxes currently billed: 3534.89
Reasons for requesting a correction to tax roll:	

I hereby request a correction of tax levied by Albany (County, city, village, etc.) for the year(s) 2024.

Signature of applicant	Date: 6/13/24

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received: 6/13/24	Period of warrant for collection of taxes: 1/1/2024
Last day for collection of taxes without interest: 1/31/2024	Recommendation: **Approve application** ☒ **Deny application** ☐
Signature of official	Date: 6/25/2024

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of _____ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the **tax levying body** or **official designated by resolution** _____ (insert number or date, if applicable):

Application approved (mark an *X* in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☒

Amount of taxes currently billed: 3,534.89	Corrected tax: 357.08
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): _____

Signature of chief executive officer, or official designated by resolution	Date

CITY OF ALBANY - 2024 PROPERTY TAXES

FISCAL YEAR: 1/1/2024 to 12/31/2024	WARRANT: 12/30/2023	ESTIMATED COUNTY STATE AID: $111,509,350

BANK	BILL	TAX MAP NUMBER
	253516	64.25-2-4

MAKE CHECKS PAYABLE TO:
CITY OF ALBANY

TO PAY IN PERSON:
City Hall Room 110
24 Eagle Street
Albany, NY 12207
(518) 434-5035

PROPERTY INFORMATION:

ACCOUNT #:	27180
DIMENSION:	60.02 X 125
ROLL:	1
LOCATION:	147 Melrose Ave
SCHOOL:	010100
FULL MARKET VALUE:	252,718
UNIFORM % OF VALUE:	70.83%
TOTAL ASSESSMENT:	179,000
TAXABLE VALUE:	179,000

EXEMPTION	VALUE	FULL VALUE	TAX PURPOSE

PROPERTY OWNER:
County of Albany, NY
112 State St
Albany, NY 12207

PROPERTY TAX PAYERS BILL OF RIGHT

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill. The filing date for this assessment has passed.

LEVY DESCRIPTION	TOTAL TAX LEVY	% CHANGE FROM PRIOR YEAR LEVY	TAXABLE VALUE OR UNITS	RATE	TAX AMOUNT
County Tax	20,149,052	2.6%	179,000	4.080263	~~730.37~~
City Tax	61,747,000	1.6%	179,000	11.707250	~~2,095.60~~
Waste Collection Fee			0		~~90.00~~
Delinquent Water			0		254.48
2023 Waste Collectio			0		102.60
				TOTAL BASE TAXES DUE:	~~$3,273.05~~ 357.08

	Date Paid	Amount Paid

	Tax Amount	Interest	Total Due
Pay By 07/01/2024	$3,273.05	$261.84	$3,534.89

TOTAL TAX DUE: 3534.89

Albany County Real Property Tax Service Agency
Tax Bill Correction Worksheet

Date:	6/20/2024
Municipality:	City of Albany
Property Address:	147 Melrose Ave
Tax ID Number:	64.25-22-4
Tax(s) to be refunded:	2024 Property Tax

Original Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	179,000	4.080263	$ 730.37
City Tax	179,000	11.70725	$ 2,095.60
Waste Collection Fee			$ 90.00
Delinquent Water			$ 254.48
2023 Waste Collection			$ 102.60
		Total Tax Due	$ 3,273.04

Correct Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	-	4.080263	$ -
City Tax	-	11.70725	$ -
Waste Collection Fee			$ -
Delinquent Water			$ 254.48
2023 Waste Collection			$ 102.60
		Total Tax Due	$ 357.08

Correction

Original Amount Due	$ 3,273.04
Correct Amount Due	**$ 357.08**

ALBANY COUNTY – STATE OF NEW YORK
BRUCE A. HIDLEY COUNTY CLERK
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****

INSTRUMENT #: R2024-1270

Receipt#: 20240672829
Clerk: HC
Rec Date: 01/19/2024 03:49:22 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm:

Party1: COUNTY OF ALBANY
Party2: ALBANY COUNTY LAND BANK CORPORATION
Muni: ALBANY CITY

Recording:

Cover Page	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
TP584	0.00
Notice of Transfer of Sal	0.00
RP5217 Residential/Agricu	0.00
RP5217 - County	0.00
Sub Total:	0.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	0.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 3696
Transfer Tax

Total: 0.00

Record and Return To:

SASE/DIV OF FIN

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Bruce A. Hidley
Albany County Clerk

RECORD AND RETURN TO:
ALBANY COUNTY DIVISION OF FINANCE
112 State Street, Room 1340
Albany, New York 12207

QUITCLAIM DEED

THIS INDENTURE made the 11th of ~~November~~ December 2023 between

The COUNTY OF ALBANY, NEW YORK, a municipal corporation organized and existing pursuant to the laws of the State of New York having its principal office located at 112 State Street, Albany, New York 12207, **party of the first part**, and

ALBANY COUNTY LAND BANK CORPORATION, having its principal office located at 111 Washington Ave, Suite 100, Albany, New York 12210, **party of the second part**

Witnesseth that in consideration of payment by the party of the second part to the party of the first part of the sum of ONE DOLLAR ($1.00) AND NO CENTS lawful money of the United States, the party of the first part hereby remises, releases and quitclaims unto the party of the second part and the party of the second part's successors and assigns forever, all of the party of the first part's right, title and interest in and to

All that certain lot, piece or parcel of land situate, lying and being in the City of Albany, County of Albany and State of New York described in Exhibit "A" attached.

Being the same premises described as **"PARCEL No. ALBANY 05418-16-54 (147 Melrose Avenue, City of Albany [Tax Map. No. 64.25-2-4])"** in the Deed in Foreclosure conveying said parcel to the party of the first part executed by the Enforcing Officer of the County of New York, Tax District, and recorded in the Office of the Albany County Clerk on June 30, 2023 as Instrument R2023-11691 made pursuant to Final Judgment of Foreclosure with respect to said premises granted to said Tax District by Order of the Albany County Court dated June 22, 2023 and entered on June 22, 2023 in the proceeding commenced in that Court under **Index No. 05418-16** entitled "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 included in the **LIST OF DELINQUENT TAXES filed on December 6, 2016 covering the CITY OF ALBANY, Albany County**".

This conveyance is made pursuant to and is conditioned by Resolution No.440 of the Albany County Legislature for the year 2023 adopted on October 10, 2023 authorizing the sale and conveyance of the premises to the party of the second part.

Together with appurtenances and all of the estate and rights of the party of the first part in and to the premises.

To Have and to Hold the premises hereby conveyed unto the party of the second part and the party of the second part's successors and assigns forever.

In Witness Whereof the party of the first part has executed these presents on the day above written.

In the presence of

THE COUNTY OF ALBANY, NEW YORK

By _____ **L.S.**
DANIEL P. McCOY,
ALBANY COUNTY EXECUTIVE

ACKNOWLEDGMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 11th day of ~~November~~ December 2023, before me, the undersigned, personally appeared **DANIEL P. 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 signed the same in his capacity as Albany County Executive, and that by his signature on the within instrument, the individual, or the person upon behalf of which he acted, to wit: the County of Albany, New York, executed the instrument.

_____
NOTARY PUBLIC - STATE OF NEW YORK

EUGENIA K. CONDON
Notary Public, State of New York
Registration No: 02CO4969817
Qualified in Albany County
Commission Expires July 23, 2026

LIST OF DELINQUENT TAXES

FOR

CITY OF ALBANY, ALBANY COUNTY

PARCEL FORCLOSURE NO:	**000054**
FORECLOSURE PROCEEDING INDEX NO:	**05418-16**
PARCEL LOCATION:	**147 MELROSE AVE, CITY OF ALBANY**
PARCEL TAX MAP NUMBER:	**06402500020040000000**
PARCEL PROPERTY CLASS CODE:	**210**
OWNER LISTED ON DELINQUENT TAX BILL:	**RILEY MICHAEL P**
REPUTED PARCEL OWNER(S): AS OF 12/1/2016	**RILEY MICHAEL P** **RILEY MARIE**
MAILING ADDRESS:	**147 MELROSE ST** **ALBANY, NY 12203**

DELINQUENT TAXES

YEAR	TYPE OF TAX	AMOUNT DUE
2015	SCHOOL	3,386.44

Exhibit "A"

FOR COUNTY USE ONLY

C1. SWIS Code 0101 00

C2. Date Deed Recorded 01 / 19 / 2024 (Month Day Year)

C3. Book R2024 C4. Page 1270X

New York State Department of **Taxation and Finance**

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location: 147 (* STREET NUMBER) MELROSE AVENUE (* STREET NAME)
ALBANY (* CITY OR TOWN) (VILLAGE) 12206 (* ZIP CODE)

2. Buyer Name: ALBANY COUNTY LAND (* LAST NAME/COMPANY) BANK CORPORATION (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

3. Tax Billing Address: Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form) (LAST NAME/COMPANY) (FIRST NAME)
(STREET NUMBER AND NAME) (CITY OR TOWN) (STATE) (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:
- 4A. Planning Board with Subdivision Authority Exists ☐
- 4B. Subdivision Approval was Required for Transfer ☐
- 4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size: (* FRONT FEET) X (* DEPTH) OR 0.17 (* ACRES)

6. Seller Name: COUNTY OF ALBANY NEW YORK (* LAST NAME/COMPANY) (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

*7. Select the description which most accurately describes the use of the property at the time of sale:
A. One Family Residential

Check the boxes below as they apply:
- 8. Ownership Type is Condominium ☐
- 9. New Construction on a Vacant Land ☐
- 10A. Property Located within an Agricultural District ☐
- 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date

*12. Date of Sale/Transfer 1/11/24

*13. Full Sale Price 1.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

14. Indicate the value of personal property included in the sale .00

15. Check one or more of these conditions as applicable to transfer:
- ☐ A. Sale Between Relatives or Former Relatives
- ☐ B. Sale between Related Companies or Partners in Business.
- ☐ C. One of the Buyers is also a Seller
- ☒ D. Buyer or Seller is Government Agency or Lending Institution
- ☒ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- ☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
- ☐ G. Significant Change in Property Between Taxable Status and Sale Dates
- ☐ H. Sale of Business is Included in Sale Price
- ☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
- ☐ J. None

Comment(s) on Condition:
QUITCLAIM DEED

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 23

*17. Total Assessed Value 179,000

*18. Property Class 210

*19. School District Name ALBANY CITY

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
64.25-2-4

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

1/11/23 (SELLER SIGNATURE) (DATE)

BUYER SIGNATURE

1/11/2024 (BUYER SIGNATURE) (DATE)

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

ALBANY COUNTY LAND (* LAST NAME) BANK CORPORATION (FIRST NAME)

(518) (*AREA CODE) 407-0309 (*TELEPHONE NUMBER (Ex: 9999999))

111 (* STREET NUMBER) WASHINGTON AVE., STE 100 (* STREET NAME)

ALBANY (*CITY OR TOWN) NY (*STATE) 12210 (*ZIP CODE)

BUYER'S ATTORNEY

(LAST NAME) (FIRST NAME)

(AREA CODE) (TELEPHONE NUMBER (Ex: 9999999))

Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-554
(12/19)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners: Albany County Land Bank Corporation	
Mailing address of owners *(number and street or PO box)*: 111 Washington Ave Suite 100	Location of property *(street address)*: 108 Congress St.
City, village, or post office: Albany State: NY ZIP code: 12201	City, town, or village: Cohoes State: NY ZIP code: 12047
Daytime contact number:	Evening contact number:
Tax map number of section/block/lot: Property identification *(see tax bill or assessment roll)*: 10.75-2-9	
Account number *(as appears on tax bill)*:	Amount of taxes currently billed: 1373.17
Reasons for requesting a correction to tax roll:	

I hereby request a correction of tax levied by City of Cohoes / Albany County (County, city, village, etc.) for the year(s) 2024.

Signature of applicant:	Date: 6/13/2024

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received: 6/13/2024	Period of warrant for collection of taxes: 1/1/2024
Last day for collection of taxes without interest: 1/31/2024	Recommendation: **Approve application** ☒ **Deny application** ☐
Signature of official:	Date: 6/20/2024

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of _____ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the **tax levying body** or **official designated by resolution** _____:
(insert number or date, if applicable)

Application approved (mark an *X* in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☒

Amount of taxes currently billed: 1,373.17	Corrected tax: Ø
Date notice of approval mailed to applicant:	Date order transmitted to collecting officer:

Application denied (reason): _____

Signature of chief executive officer, or official designated by resolution:	Date:

Date Prepared: 06/11/2024 10:55 AM
Due Date: To
Sort By: DESC
Suppress Zero Balance Due Dates:No

CITY OF COHOES

Bill Detail Form

Year: 2024 Seq: 01 Bill No: 3757
Owner: ALBANY COUNTY LAND BANK CORP.
Acct No:

Bank:
District: 010300
Parcel ID: 10.75-2-9
Location: 108 CONGRESS ST

Inst	Due Date	Purpose	Type	Trans. Date	Batch No.	Rec/Ref #	Amount	Trans No	Seq.
2	09/30/2024	CITY TAX	CHG	02/15/2024	JB		464.40	1503418	1
			CITY TAX			Total	464.40		
						Inst Total	464.40		
1	03/31/2024	CITY TAX	CHG	02/15/2024	JB		464.40	1503418	1
		COUNTY TAX	CHG	02/15/2024	JB		369.33	1503418	1
			Total INTEREST		Calc To 06/11/2024		75.04		
			COUNTY TAX			Total	369.33		
			CITY TAX			Total	464.40		
			INTEREST			Total	75.04		
						Inst Total	908.77		
	0101			COUNTY TAX		Total	369.33		
	0201			CITY TAX		Total	928.80		
	INT			INTEREST		Total	75.04		
						Bill Total	1,373.17		

0.00

Albany County Real Property Tax Service Agency
Tax Bill Correction Worksheet

Date:	6/20/2024
Municipality:	City of Cohoes
Property Address:	108 Congress St
Tax ID Number:	10.75-2-9
Tax(s) to be refunded:	2024 Property Tax

Original Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	51,600	7.157558	$ 369.33
City Tax	51,600	18	$ 928.80
		Total Tax Due	$ 1,298.13

Correct Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	-	7.157558	$ -
City Tax	-	18	$ -
		Total Tax Due	$ -

Correction

Original Amount Due	$ 1,298.13
Correct Amount Due	**$ -**

ALBANY COUNTY – STATE OF NEW YORK
BRUCE A. HIDLEY COUNTY CLERK
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****

INSTRUMENT #: R2023-19309

Receipt#: 20230653214
Clerk: TR
Rec Date: 10/26/2023 11:53:09 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 7
Rec'd Frm: ALBANY COUNTY LAND BANK CORP

Party1: ALBANY COUNTY DEPT OF MANAGEMENT & BUDGET COMMISSIONER
Party2: ALBANY COUNTY LAND BANK CORP
Muni: COHOES CITY

Recording:

Cover Page	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
TP584	0.00
Notice of Transfer of Sal	0.00
RP5217 Residential/Agricu	0.00
RP5217 - County	0.00
Sub Total:	0.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	0.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 1854
Exempt

Total: 0.00

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Record and Return To:

SASE/ALBANY COUNTY DIVISION OF FINANCE

Bruce A. Hidley
Albany County Clerk

RECORD AND RETURN TO:
ALBANY COUNTY DIVISION OF FINANCE
112 State Street, Room 1340
Albany, New York 12207

DEED

THIS INDENTURE, made the 13th day of ~~August~~ September 2023, between

M. DAVID REILLY, JR., Commissioner of the Albany County Department of Management and Budget, as **ENFORCING OFFICER OF THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT**, having its principal office located at 112 State Street, Albany, New York 12207 ("Grantor") and

The ALBANY COUNTY LAND BANK CORPORATION, having its principal office located at 111 Washington Avenue, Suite 100, Albany, New York 12210 ("Grantee"),

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, under **Index No. 07592-16** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent 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 December 23, 2016 covering the CITY OF COHOES**, Albany County", and

WHEREAS, a Summary Final Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on July 29, 2022 and entered on August 3, 2022 directing the Grantor to execute and cause to be recorded a Deed conveying to the Tax District title to the parcels of real property located in the City of Cohoes, County of Albany, State of New York described in said List of Delinquent Taxes as **"PARCEL No. COHOES 07592-16-169 (108 Congress Street, City of Cohoes [Tax Map. No. 10.75-**

2-9])", a more particular description of which parcel is annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, the governing body of the Tax District, by Resolution No. 284 of the Albany County Legislature for the year 2023 adopted July 10, 2023 has approved the sale and conveyance of said parcel by the Tax District to the Grantee for the sum hereinafter set forth as the consideration for this Deed, and

WHEREAS, by the Assignment annexed hereto simultaneously herewith being recorded, the Tax District has assigned to the Grantee the Tax District's right pursuant to the said Judgment of Foreclosure to have the Grantor execute and cause to be recorded a Deed conveying title to said parcels to the Tax District and authorized the Grantor to by virtue of said assignment execute and cause to be recorded a Deed conveying title to said parcel to the Grantee, instead of to the Tax District,

NOW, THEREFORE, WITNESSETH that the Grantor pursuant to said Judgment of Foreclosure, Resolution and Assignment in consideration of payment by the Grantee of the sum of ONE DOLLAR ($1.00) AND NO CENTS to the Tax District does hereby grant, release and convey title to said parcel unto the Grantee, its successors and assigns, instead of to the Tax District.

TO HAVE AND TO HOLD, all and singular, said parcel hereby granted, released and conveyed unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has hereunto set his hand on the date above written.

M. DAVID REILLY, JR., ENFORCING OFFICER
COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

ACKNOWLEDGMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 13 day of ~~August~~ September 2023, before me, the undersigned, personally appeared **M. DAVID REILLY, JR.**, 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 as Enforcing Officer of the County of Albany, New York, Tax District, 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

JOHN W. LIGUORI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 5012488
Qualified in Albany County
Commission Expires June 15 2027

ASSIGNMENT

ASSIGNMENT, made this 13th day of ~~August~~ September 2023 by the COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, having its principal office located at 112 State Street, Albany, New York 12207 ("Tax District") to the ALBANY COUNTY LAND BANK CORPORATION, *having its principal office located at 111 Washington Avenue, Suite* 100, Albany, New York 12210 ("Assignee").

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, **Index No. 07592-16** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent 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 December 23, 2016 covering the CITY OF COHOES**, Albany County", and

WHEREAS, a Final Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on July 29, 2022 and entered on August 3, 2022 directing the Enforcing Officer of the Tax District to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Cohoes, County of Albany, State of New York described in said List of Delinquent Taxes as **"PARCEL No. COHOES 07592-16-169 (108 Congress Street, City of Cohoes [Tax Map. No. 10.75-2-9])"** a more particular description of which parcel is attached to the Deed annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, governing body of the Tax District, by Resolution No. 284 of the Albany County Legislature for the year 2023 adopted July 10, 2023 approved the sale and conveyance of said parcel by the Tax District to the Assignee for the sum of ONE DOLLAR ($1.00) AND NO CENTS.

NOW, THEREFORE, KNOW BY THESE PRESENTS, that in order to effectuate said sale and conveyance the Tax District in consideration of payment to it of said sum by the Assignee hereby without recourse assigns to the Assignee the Tax District's right pursuant to said Judgment of Foreclosure in said proceeding to have the Enforcing Officer of the Tax District execute and record a Deed conveying title to said parcel to the Tax District and hereby authorizes said Enforcing Officer to by virtue of said assignment execute and record a Deed conveying title to said parcel to said Assignee, instead of to the Tax District.

IN WITNESS WHEREOF, the undersigned has on behalf of the Tax District hereunto set his hand on the date above written.

THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

By Daniel P. McCoy

DANIEL P. McCOY, Albany County Executive

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 13th day of ~~August~~ September 2023 before me, the undersigned, personally appeared DANIEL P. 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 as Albany County Executive, 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

JOHN W. LIGUORI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 5012488
Qualified in Albany County
Commission Expires June 15 2027

LIST OF DELINQUENT TAXES

FOR

CITY OF COHOES, ALBANY COUNTY

PARCEL FORCLOSURE NO:	**000169**
FORECLOSURE PROCEEDING INDEX NO:	**07592-16**
PARCEL LOCATION:	**108 CONGRESS ST, CITY OF COHOES**
PARCEL TAX MAP NUMBER:	**01007500020090000000**
PARCEL PROPERTY CLASS CODE:	**220**
OWNER LISTED ON DELINQUENT TAX BILL:	**BROWN THOMAS P JR**
REPUTED PARCEL OWNER(S): AS OF 12/22/2016	**BROWN THOMAS P JR** **BROWN SEAN T**
MAILING ADDRESS:	**521 23RD ST** **WATERVLIET, NY 12189**

DELINQUENT TAXES

YEAR	TYPE OF TAX	AMOUNT DUE
2015	PROPERTY	1,680.80
2015	SCHOOL	1,963.39

Exhibit "A"

FOR COUNTY USE ONLY

C1. SWIS Code 0 1 0 3 0 0

C2. Date Deed Recorded 10 (Month) 26 (Day) 23 (Year)

C3. Book 2 0 2 3 C4. Page 1 9 3 0 9

New York State Department of **Taxation and Finance**

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location
108 (*STREET NUMBER) CONGRESS STREET (*STREET NAME)
COHOES (*CITY OR TOWN) (VILLAGE) 12047 (*ZIP CODE)

2. Buyer Name
ALBANY COUNTY LAND (*LAST NAME/COMPANY) BANK CORPORATION (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)
(LAST NAME/COMPANY) (FIRST NAME)
(STREET NUMBER AND NAME) (CITY OR TOWN) (STATE) (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

(Only If Part of a Parcel) Check as they apply:
4A. Planning Board with Subdivision Authority Exists ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size (*FRONT FEET) X (*DEPTH) OR 0.06 (*ACRES)

6. Seller Name
ENFORCING OFFICER OF THE (*LAST NAME/COMPANY) COUNTY OF ALBANY, NY (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

***7. Select the description which most accurately describes the use of the property at the time of sale:**
F. Commercial

Check the boxes below as they apply:
8. Ownership Type is Condominium ☐
9. New Construction on a Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date
* 12. Date of Sale/Transfer 10/20/23
*13. Full Sale Price 1 .00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

14. Indicate the value of personal property included in the sale .00

15. Check one or more of these conditions as applicable to transfer:
- ☐ A. Sale Between Relatives or Former Relatives
- ☐ B. Sale between Related Companies or Partners in Business.
- ☐ C. One of the Buyers is also a Seller
- ☐ D. Buyer or Seller is Government Agency or Lending Institution
- ☒ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- ☒ F. Sale of Fractional or Less than Fee Interest (Specify Below)
- ☐ G. Significant Change in Property Between Taxable Status and Sale Dates
- ☐ H. Sale of Business is Included in Sale Price
- ☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
- ☐ J. None

Comment(s) on Condition:
Deed with Assignment

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 23
*17. Total Assessed Value 51,600
*18. Property Class 220
*19. School District Name COHOES
*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
10.75-2-9

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE
(SELLER SIGNATURE) (DATE) 9/13/23

BUYER SIGNATURE
(BUYER SIGNATURE) (DATE) 10/20/23

BUYER CONTACT INFORMATION
(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. **Type or print clearly.**)

ALBANY COUNTY LAND (*LAST NAME) BANK CORPORATION (FIRST NAME)
(518) (*AREA CODE) 407-0309 (*TELEPHONE NUMBER (Ex: 9999999))
111 (*STREET NUMBER) WASHINGTON AVE, SUITE 100 (*STREET NAME)
ALBANY (*CITY OR TOWN) NY (*STATE) 12210 (*ZIP CODE)

BUYER'S ATTORNEY
(LAST NAME) (FIRST NAME)
(AREA CODE) (TELEPHONE NUMBER (Ex: 9999999))

Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-554
(12/19)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners: Albany County Land Bank Corporation	
Mailing address of owners *(number and street or PO box)*: 111 Washington Ave Suite 100	Location of property *(street address)*: 114 Ontario St
City, village, or post office: Albany; State: NY; ZIP code: 12201	City, town, or village: Cohoes; State: NY; ZIP code: 12047
Daytime contact number:	Evening contact number:
Tax map number of section/block/lot: Property identification *(see tax bill or assessment roll)*: 11.61-2-4	
Account number *(as appears on tax bill)*:	Amount of taxes currently billed: 1697.84
Reasons for requesting a correction to tax roll:	

I hereby request a correction of tax levied by City of Cohoes / Albany County (County, city, village, etc.) for the year(s) 2024.

Signature of applicant:	Date:

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received: 6/13/2024	Period of warrant for collection of taxes: 1/1/2024
Last day for collection of taxes without interest: 1/31/2024	Recommendation: **Approve application** ☒ **Deny application** ☐
Signature of official:	Date: 6/21/2024

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of _____ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the **tax levying body** or **official designated by resolution** _____ (insert number or date, if applicable):

Application approved (mark an *X* in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☒

Amount of taxes currently billed: 1,697.84	Corrected tax: Ø
Date notice of approval mailed to applicant:	Date order transmitted to collecting officer:

Application denied (reason): _____

Signature of chief executive officer, or official designated by resolution:	Date:

Date Prepared: 06/11/2024 10:56 AM
Due Date: To
Sort By: DESC
Suppress Zero Balance Due Dates:No

CITY OF COHOES

Bill Detail Form

Year: 2024 Seq: 01 Bill No: 4286
Owner: ALBANY COUNTY LAND BANK CORP.

Acct No:

Bank:
District: 010300
Parcel ID: 11.61-2-4
Location: 114 ONTARIO ST

Inst	Due Date	Purpose	Type	Trans. Date	Batch No.	Rec/Ref #	Amount	Trans No	Seq.
2	09/30/2024	CITY TAX	CHG	02/15/2024	JB		574.20	1503757	1
			CITY TAX			Total	574.20		
						Inst Total	574.20		
1	03/31/2024	CITY TAX	CHG	02/15/2024	JB		574.20	1503757	1
		COUNTY TAX	CHG	02/15/2024	JB		456.66	1503757	1
			Total INTEREST		Calc To 06/11/2024		92.78		
			COUNTY TAX			Total	456.66		
			CITY TAX			Total	574.20		
			INTEREST			Total	92.78		
						Inst Total	1,123.64		

0101	COUNTY TAX	Total	456.66
0201	CITY TAX	Total	1,148.40
INT	INTEREST	Total	92.78
		Bill Total	1,697.84

Albany County Real Property Tax Service Agency
Tax Bill Correction Worksheet

Date:	6/20/2024
Municipality:	City of Cohoes
Property Address:	114 Ontario St
Tax ID Number:	11.61-2-4
Tax(s) to be refunded:	2024 Property Tax

Original Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	63,800	7.157558	$ 456.65
City Tax	63,800	18	$ 1,148.40
		Total Tax Due	$ 1,605.05

Correct Bill

Levy Description	Taxable Value / Units	Rate	Tax Amount
County Tax	-	7.157558	$ -
City Tax	-	18	$ -
		Total Tax Due	$ -

Correction

Original Amount Due	$ 1,605.05
Correct Amount Due	**$ -**

ALBANY COUNTY – STATE OF NEW YORK
BRUCE A. HIDLEY COUNTY CLERK
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****

INSTRUMENT #: R2023-19313

Receipt#: 20230653218
Clerk: TR
Rec Date: 10/26/2023 11:54:22 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 7
Rec'd Frm: ALBANY COUNTY LAND BANK CORP

Party1: ALBANY COUNTY DEPT OF MANAGEMENT & BUDGET COMMISSIONER
Party2: ALBANY COUNTY LAND BANK CORP
Muni: COHOES CITY

Recording:

Cover Page	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
TP584	0.00
Notice of Transfer of Sal	0.00
RP5217 Residential/Agricu	0.00
RP5217 - County	0.00
Sub Total:	0.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	0.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 1857
Exempt

Total: 0.00

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Record and Return To:

SASE/ALBANY COUNTY DIVISION OF FINANCE

Bruce A. Hidley
Albany County Clerk

RECORD AND RETURN TO:
ALBANY COUNTY DIVISION OF FINANCE
112 State Street, Room 1340
Albany, New York 12207

DEED

THIS INDENTURE, made the 13th day of ~~August~~ September 2023, between

M. DAVID REILLY, JR., Commissioner of the Albany County Department of Management and Budget, as **ENFORCING OFFICER OF THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT**, having its principal office located at 112 State Street, Albany, New York 12207 ("Grantor") and

ALBANY COUNTY LAND BANK CORPORATION, having its principal office located at 111 Washington Ave, Suite 100, Albany, New York 12210 ("Grantee"),

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, under **Index No. 10301-09** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent 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 December 22, 2009 covering the CITY OF COHOES,** Albany County", and

WHEREAS, a Final Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on September 28, 2022 and entered on September 29, 2022 directing the Grantor to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Cohoes, County of Albany, State of New York described in said List of Delinquent Taxes as **"PARCEL No. COHOES 10301-09-234 (114 Ontario Street, City of Cohoes [Tax Map No. 11.61-2-4])"**, a more particular description of which parcel is annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, the governing body of the Tax District, by Resolution No. 284 for the Year 2023 adopted July 10, 2023 has approved the sale and conveyance of said parcel by the Tax District to the Grantee for the sum hereinafter set forth as the consideration for this Deed, and

WHEREAS, by the Assignment annexed hereto simultaneously herewith being recorded, the Tax District has assigned to the Grantee the Tax District's right pursuant to the said Judgment of Foreclosure to have the Grantor execute and cause to be recorded a Deed conveying title to said parcel to the Tax District and authorized the Grantor to by virtue of said assignment execute and cause to be recorded a Deed conveying title to said parcel to the Grantee, instead of to the Tax District,

NOW, THEREFORE, WITNESSETH that the Grantor pursuant to said Judgment of Foreclosure, Resolution and Assignment in consideration of payment by the Grantees of the sum of ONE DOLLAR ($1.00) AND NO CENTS to the Tax District does hereby grant, release and convey title to said parcel unto the Grantee, its successors and assigns, instead of to the Tax District.

TO HAVE AND TO HOLD, all and singular, said parcel hereby granted, released and conveyed unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has hereunto set his hand on the date above written.

M. DAVID REILLY, JR., ENFORCING OFFICER
COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

ACKNOWLEDGMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 13th day of ~~August~~ September 2023, before me, the undersigned, personally appeared **M. DAVID REILLY, JR.** 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 as Enforcing Officer of the County of Albany, New York, Tax District, 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

JOHN W. LIGUORI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 5012488
Qualified in Albany County
Commission Expires June 15 2027

ASSIGNMENT

ASSIGNMENT, made this 13th day of ~~August~~ September 2023, by the COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, having its principal office located at 112 State Street, Albany, New York 12207, ("Tax District") to the ALBANY COUNTY LAND BANK CORPORATION, having its principal office located at 111 Washington Avenue, Suite 100, Albany, New York 12210 ("Assignee").

WHEREAS, pursuant to Article Eleven, Title 3, of the Real Property Tax Law the Tax District heretofore brought a proceeding in the County Court of the State of New York, County of Albany, **Index No. 10301-09** entitled "In the Matter of the Foreclosure of Tax Lien "In Rem" Delinquent 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 December 22, 2009 covering the CITY OF COHOES,** Albany County", and

WHEREAS, a Final Judgment of Foreclosure by Default was granted to the Tax District in said proceeding on September 28, 2022 and entered on September 29, 2022 directing the Enforcing Officer of the Tax District to execute and cause to be recorded a Deed conveying to the Tax District title to the parcel of real property located in the City of Cohoes, County of Albany, State of New York described in said List of Delinquent Taxes as **"PARCEL No. COHOES 10301-09-234 (114 Ontario Street, City of Cohoes [Tax Map No. 11.61-2-4])"**, a more particular description of which parcel is annexed hereto as Exhibit "A", and

WHEREAS, the Albany County Legislature, governing body of the Tax District, by Resolution No. 284 for the Year 2023 adopted July 10, 2023 approved the sale and conveyance of said parcel by the Tax District to the Assignee for the sum of ONE DOLLAR ($1.00) AND NO CENTS.

NOW, THEREFORE, KNOW BY THESE PRESENTS, that in order to effectuate said sale and conveyance the Tax District in consideration of payment to it of said sum by the Assignee hereby without recourse assigns to the Assignee the Tax District's right pursuant to said Judgment of Foreclosure in said proceeding to have the Enforcing Officer of the Tax District execute and record a Deed conveying title to said parcel to the Tax District and hereby authorizes said Enforcing Officer to by virtue of said assignment execute and record a Deed conveying title to said parcel to said Assignee, instead of to the Tax District.

IN WITNESS WHEREOF, the undersigned has on behalf of the Tax District hereunto set his hand on the date above written.

THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

By Daniel P. McCoy

DANIEL P. McCOY, Albany County Executive

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 13th day of ~~August~~ September 2023 before me, the undersigned, personally appeared DANIEL P. 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 as Albany County Executive, 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

JOHN W. LIGUORI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 5012488
Qualified In Albany County
Commission Expires June 15 2027

LIST OF DELINQUENT TAXES

FOR

CITY OF COHOES, ALBANY COUNTY

PARCEL FORCLOSURE NO:	***000234***
FORECLOSURE PROCEEDING INDEX NO:	**10301-09**
PARCEL LOCATION:	**114 ONTARIO ST, CITY OF COHOES**
PARCEL TAX MAP NUMBER:	**01106100020040000000**
PARCEL PROPERTY CLASS CODE:	**220**
OWNER LISTED ON DELINQUENT TAX BILL:	**KENTON LAUREL A**
REPUTED PARCEL OWNER(S): AS OF 12/14/2009	**KENTON LAUREL A** **POTYRALA THOMAS C**
MAILING ADDRESS:	**114 ONTARIO ST** **COHOES, NY 12047**

DELINQUENT TAXES

YEAR	TYPE OF TAX	AMOUNT DUE
2008	SCHOOL	1,052.08

Exhibit "A"

FOR COUNTY USE ONLY

C1. SWIS Code 0 1 0 3 0 0

C2. Date Deed Recorded 10 / 26 / 23 (Month Day Year)

C3. Book 2 0 2 3 C4. Page 1 9 3 1 3

New York State Department of **Taxation and Finance**

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location: 114 (* STREET NUMBER) ONTARIO STREET (* STREET NAME)
COHOES (* CITY OR TOWN) (VILLAGE) 12047 (* ZIP CODE)

2. Buyer Name: ALBANY COUNTY LAND (* LAST NAME/COMPANY) BANK CORPORATION (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

3. Tax Billing Address: Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form) (LAST NAME/COMPANY) (FIRST NAME)
(STREET NUMBER AND NAME) (CITY OR TOWN) (STATE) (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:
4A. Planning Board with Subdivision Authority Exists ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size ____ (* FRONT FEET) X ____ (* DEPTH) OR 0.06 (* ACRES)

6. Seller Name: ENFORCING OFFICER OF THE (* LAST NAME/COMPANY) COUNTY OF ALBANY, NY (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

*7. Select the description which most accurately describes the use of the property at the time of sale:
B. 2 or 3 Family Residential

Check the boxes below as they apply:
8. Ownership Type is Condominium ☐
9. New Construction on a Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date

* 12. Date of Sale/Transfer 10/20/23

*13. Full Sale Price 1.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

14. Indicate the value of personal property included in the sale .00

15. Check one or more of these conditions as applicable to transfer:
- ☐ A. Sale Between Relatives or Former Relatives
- ☐ B. Sale between Related Companies or Partners in Business.
- ☐ C. One of the Buyers is also a Seller
- ☒ D. Buyer or Seller is Government Agency or Lending Institution
- ☒ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- ☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
- ☐ G. Significant Change in Property Between Taxable Status and Sale Dates
- ☐ H. Sale of Business is Included in Sale Price
- ☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
- ☐ J. None

Comment(s) on Condition:
Deed with Assignment

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 23

*17. Total Assessed Value 63,800

*18. Property Class 220

*19. School District Name COHOES

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
11.61-2-4

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

SELLER SIGNATURE — DATE 9/13/23

BUYER SIGNATURE

BUYER SIGNATURE — DATE 10/20/23

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

ALBANY COUNTY LAND (* LAST NAME) BANK CORPORATION (FIRST NAME)

(518) (*AREA CODE) 407-0309 (*TELEPHONE NUMBER (Ex: 9999999))

111 (* STREET NUMBER) WASHINGTON AVE, SUITE 100 (* STREET NAME)

ALBANY (*CITY OR TOWN) NY (*STATE) 12210 (*ZIP CODE)

BUYER'S ATTORNEY

(LAST NAME) (FIRST NAME)

(AREA CODE) (TELEPHONE NUMBER (Ex: 9999999))

ALBANY COUNTY
LAND BANK CORPORATION

Board of Directors

Charles Touhey, Chair
Touhey Associates

Joseph J. LaCivita, Vice Chair
City of Watervliet

Natisha M. Alexander, Treasurer
Resident

Samuel Wells, Secretary
Resident

Mark Bobb-Semple
Resident

Anthony Capece
Executive Director, Central Avenue BID

Juanita Nabors
Resident

Joseph Seman-Graves
Resident

David C. Rowley
Managing Partner, Cooper Erving & Savage

Executive Director
Sean M. Maguire, AICP CEcD

May 8, 2024

Albany County Real Property Tax Service Agency
Michael McGuire, Director
Harold L. Joyce Albany County Office Building
112 State St., Room 1340
Albany, NY 12207

Re: New York State Land Bank Statutory Exemptions

Dear Mr. McGuire:

The Albany County Land Bank was established in 2014 by Albany County to facilitate the process of acquiring, improving, and redistributing tax-foreclosed, vacant, or abandoned properties. As a New York State Land Bank established under Article 16 of the New York State Not-For-Profit Corporation Law (the Land Bank Act) all income, operations and real property of the Albany County Land Bank Corporation is exempt from taxation by the State of New York and by any of its political subdivisions.

New York State Land Banks are also exempt from all special ad valorem levies, special assessments, sewer rents and user charges. In accordance with §1608(a) of the Land Bank Act, the tax-exempt status of all land bank property, inclusive of all statutory exemptions, is effective upon the date of transfer of title to a land bank.

Enclosed, please find tax correction forms pertaining to property taxes levied on real property owned by the Albany County Land Bank Corporation. I respectfully request these corrections be reviewed and corrected in accordance with the exemptions provided to us under New York State law.

I have attached more information pertaining to the statutory exemptions provided to New York State Land Banks for your reference. Should you have any questions, please do not hesitate to contact our office at (518) 407-0309 or via email at info@albanycountylandbank.org.

Thank you for your time and consideration.

Regards,

Sean M. Maguire, AICP CEcD

111 Washington Avenue, Suite 100
Albany NY, 12210

(518) 407-0309
www.albanycountylandbank.org

BARCLAY DAMON LLP

MEMORANDUM

TO: **New York Land Bank Association**

FROM: **John P. Sidd, Esq.**

DATE: **February 1, 2019**

RE: **§1608(a) of the Land Bank Act**

==========

On December 28, 2018 Governor Cuomo signed into law the latest amendment to §1608(a) of the Land Bank Act. Section 1608(a) has now been amended on four occasions since its original passage in 2011 and, as such, this memorandum is intended to summarize the current version of this important section of the Land Bank Act. The current version of §1608(a) is inserted at the end of this memorandum for your convenience.

Section 1608(a) begins by setting forth the fundamental tax exempt status of land banks by exempting the real property of a land bank and its income and operations from all taxation by the State of New York and by any of its political subdivisions. No additional filings are necessary or required with the State of New York or any of its political subdivisions, including local real property assessors, to implement the tax exemption applicable to income, operations or real property.

The real property tax exemption set forth in the first sentence of §1608(a) is applicable to the general purpose local tax levy. The general purpose local tax levy finances the activity of local government by an ad valorem levy upon taxable real property within the jurisdiction of the local government to provide a general benefit to the entire jurisdiction. The ad valorem general purpose local tax is a tax that is imposed proportionately based upon the assessed value of real property. In addition to the general purpose local tax, real property is often subject to additional fees which generally fall into the following three categories: special ad valorem levies, special assessments or user charges (please note there are no special ad valorem levies in cities). These additional fees may be ad valorem or unit/usage-based and are imposed on real property located within a special district for municipal improvements or services benefitting the particular real property assessed.

For most real property tax exempt owners, their tax exemption begins and ends with exemption from the general purpose local tax and they remain responsible for all special ad valorem levies, special assessments and user charges. Fortunately, the

second sentence of §1608(a) entitles land banks to a complete exemption from special ad valorem levies, special assessments, sewer rent (a type of user charge imposed by Article Fourteen-F of the General Municipal Law) and all other user charges imposed by any municipal corporation, special district or other political subdivisions of the state.

The exemption to user charges, however, is not applicable to real property for which a land bank receives rent, fees, or other charges for the use of such real property. While this limitation will most often impact land bank real property which is occupied by a rent paying tenant, please keep in mind that onetime event use of land bank real property for a fee could jeopardize this additional exemption. Land banks should be prepared to demonstrate to their local assessors which of its properties generate rent, fees, or other charges and, more importantly, which do not.

The December 2018 amendment provides that the tax exempt status of land bank property, which includes all of the exemptions discussed above, shall be effective upon the date of transfer of title to a land bank. There is no longer a need to wait until the next taxable status date as land bank property will now be transferred to the tax exempt roll immediately upon acquisition. An immediate real property tax exemption upon acquisition is uncommon and, therefore, land banks should be prepared to bring this exemption to the attention of local assessors and taxing jurisdictions.

The exemption to the general purpose local tax has been in place since the original adoption of the Land Bank Act in 2011. The exemption to special ad valorem levies and special assessments has been in place since November of 2016. The exemption to user charges, including sewer rent, has been in place since October of 2017. All of the above exemptions being effective upon the date of transfer of title to a land bank was immediately effective as of December 28, 2018.

Section 1608(a) concludes by providing land banks with an exemption to all filing and recording fees imposed by County Clerks. Land banks join only the State of New York and County Governments in being exempt from such recording fees. While the exemption applies to any and all documents either filed or recorded with a County Clerk, land banks will most frequently enjoy the benefit in relation to the recording of deeds, mortgages, mortgage discharges and the filing of Transfer Tax Returns (TP-584) and Real Property Transfer Reports (RP-5217).

§1608(a) of the Land Bank Act

The real property of a land bank and its income and operations are exempt from all taxation by the state of New York and by any of its political subdivisions. The real property of a land bank shall be exempt from: (i) all special ad valorem levies and special assessments as defined in section one hundred two of the real property tax law; (ii) sewer rent imposed under article fourteen-F of the general municipal law; and (iii) any and all user charges imposed by any municipal corporation, special district or other political subdivisions of the state, provided, however, that real property of a land bank for which such land bank receives rent, fees, or other charges for the use of such real property shall not be exempt from subparagraphs (ii) and (iii) of this paragraph. Such exempt status shall be effective upon the date of transfer of title to a land bank, notwithstanding the applicable taxable status date. Notwithstanding any other general, special or local law relating to fees of clerks, no clerk shall charge or collect a fee for filing, recording or indexing any paper, document, map or proceeding filed, recorded or indexed for a land bank, or an officer thereof acting in an official capacity, nor for furnishing a transcript, certification or copy of any paper, document, map or proceeding to be used for land bank purposes.

Assessor Manual, Exemption Administration: NPCL section 1608

Exemption Administration Manual—Part 2: Private Community Service and Social Organizations

Section 4.05, NPCL section 1608: Land Banks

Exemption code: 25900

Year originally enacted: 2011

Related statutes: NPCL Art. 16; RPTL §1102(6)

Summary:

If a city, town, village or county adopts a local option to create a land bank under Not-for-Profit Corporation Law Article 16 for purposes of acquiring, holding, managing and developing tax-delinquent, tax foreclosed, vacant, and abandoned property for the eventual return of such property to productive use, such property acquired or transferred to the land bank or a lawfully organized subsidiary becomes exempt from all taxation, special ad valorem levies and special assessments. Each land bank created must be a Type-C not-for-profit corporation, with the power to design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate and otherwise improve real property or rights or real property rights and interests. The term of the exemption benefit for an acquired property extends up to when the land bank transfers the property, or until the land bank dissolves, whichever comes first.

Eligibility requirements:

Ownership requirements:

Property must be owned by a land bank created under Article 16 of the NPCL, which for purposes of this exemption is defined as a Type-C not for profit corporation, and created by a foreclosing governmental unit or units (defined as a taxing district of a city, town, village or county). Or the property must be owned by a lawfully organized subsidiary of such land bank.

Property location requirements: Property acquired or held by a land bank must be located within the foreclosing governmental unit or units which created the land bank, unless the land bank is granted authority under an intergovernmental cooperation agreement with another municipality (city, town, village, or county) to manage and maintain the property located within such other municipality. If a county creates a land bank, such land bank's power to acquire real property is limited to those portions of the county located outside of the geographic boundaries of any other land bank created by other foreclosing governmental units located partially or entirely within such county.

Note: A school district partially or wholly located in a foreclosing governmental unit or units which created the land bank may participate in such land bank under an intergovernmental cooperation agreement concerning the land bank's operation.

Property use requirements:

Property acquired by the land bank must be limited to real property that is tax-delinquent, tax foreclosed, vacant or abandoned. However, a land bank may enter into an agreement to purchase other real property that is consistent with a redevelopment plan approved by the foreclosing governmental unit or units which created the land bank. In any event, the land bank must maintain all of the real property according to the laws and ordinances of the jurisdiction in which the property is located.

Certification by state or local government:

Creation of a land bank must be approved by the New York State Urban Development Corporation (doing business as the Empire State Development Corporation). No more than thirty-five land banks may exist at any given time across the state. Furthermore, each land bank that produces a redevelopment plan must submit such a plan to the foreclosing governmental unit or units for approval.

Required construction start date or other time requirement:

Exempt status is effective upon the date of transfer of title to a land bank.

Local option:

Yes - Each foreclosing governmental unit may choose whether or not to create a land bank under Article 16 of the Not-for-Profit Corporation Law. The option must be exercised through adoption of a local law, ordinance or resolution after a public hearing. Once the option to create the land bank is adopted, exemption from taxation becomes available to property acquired by the land bank.

Limitation on exemption:

Limitation on exemption by amount, duration, and taxing jurisdiction

Type of limitation	General municipal taxes	School district taxes	Special ad valorem levies	Special assessments
Amount	No limit*	No Limit*	No limit*	No limit*

Duration	No limit**	No limit**	No limit**	No limit**
Taxing jurisdiction: county or county special district	Exempt***	Not applicable	Exempt***	Exempt***
Taxing jurisdiction: city	Exempt*	Not applicable	Not applicable	Exempt*
Taxing jurisdiction: town or town special district	Exempt*	Not applicable	Exempt*	Exempt*
Taxing jurisdiction: village	Exempt*	Not applicable	Not applicable	Exempt*
Taxing jurisdiction: school district	Not applicable	Exempt****	Not applicable	Not applicable

*If land bank is created by municipal option;

**Unless and until sold or transferred by land bank, or until dissolution of land bank, whichever occurs first

***Exemption by county-created land bank is limited to areas outside of land banks created by other municipalities located partially or wholly within such county

****If property is located in portion of school district that is part of land bank

Payments in lieu of taxes:

None required.

Calculation of exemption:

General municipal and school district taxes: 100% of assessed value.

Special ad valorem levies and special assessments: 100% of assessed value

Assessment roll section:

Exempt (RPS Roll Section 8)

Filing requirements (owner or occupant of property):

None.

Reporting requirements (Assessor):

None.

Similar exemptions:

None.

Updated: January 02, 2019

DANIEL P. MCCOY
COUNTY EXECUTIVE

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

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

June 11, 2024

Hon. Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street., Rm 710
Albany, NY 12207

Chairwoman Cunningham,

The Albany County Executive's Office seeks Legislative permission to enter into an agreement with the Estate of Salvatore Tarzia to purchase 89-97 Beaver Street, located in Albany, NY. We would like to purchase the property for the sum of $375,000, as well as satisfying all delinquent real property taxes owed - $76,501.45. A portion of this property is currently used by the MVP Arena to park communication trucks during events. Additionally, MVP will be able to use this area in the future to park tour busses and tractor trailers which will offset costs charged by the state to park on Grand Street. Purchase of this property will also secure this valuable location against blight, as the property has remained vacant since the onset of COVID-19.

Sincerely,

Daniel P. McCoy
Albany County Executive

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-5603, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION
Description (e.g., Contract Authorization for Information Services):
Authorizing purchase of 89-97 Beaver Street property in Albany

Date: 6/11/2024
Department: County Executive Office
Attending Meeting: Michael Lalli
Submitted By: Wesley Hartmann
Title: Operations Analyst
Phone: 5184477040

Purpose of Request: Contract Authorization Enter text.

CONTRACT TERMS/CONDITIONS:
Party Names and Addresses:
Anna Perez
Executrix for the Estate of Salvatore Tarzia
Driver Greene, LLP
228 Church Street
Saratoga Springs, New York 12866

Term: (Start/end date or duration) TBD
Amount/Raise Schedule/Fee: $375,000

BUDGET INFORMATION:
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

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

County Budget Accounts:
Revenue Account and Line: A21310.02401
Revenue Amount: $375,000
Appropriation Account and Line: A98020.44072
Appropriation Amount: $375,000

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:
Competitive Bidding Exempt: Yes ☒ No ☐
# of Response(s): Enter text.
# of MWBE: Enter text.
# of Veteran Business: Enter text.
Bond Resolution No.: Enter text.
Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:
Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)
We are seeking permission to purchase 89-97 Beaver Street property located in the city of Albany.

DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE COUNTY ATTORNEY
COUNTY OFFICE BUILDING
112 STATE STREET, ROOM 600
ALBANY, NEW YORK 12207-2021
(518) 447-7110 - FAX (518) 447-5564
WWW.ALBANYCOUNTY.COM

EUGENIA KOUTELIS CONDON
COUNTY ATTORNEY

SENT VIA EMAIL pgreene@drivergreene.com AND U.S. REGULAR FIRST CLASS MAIL

May 20, 2024

ANNA PEREZ
Executrix for the Estate of Salvatore Tarzia
c/o Patrick K. Greene, Esq.
Driver Greene, LLP
228 Church Street
Saratoga Springs, New York 12866

RE: 89-97 Beaver Street, City of Albany

Dear Ms. Perez:

Please be advised that I have been requested by the County of Albany to, subject to Albany County legislative approval, increase its offer to purchase the above referenced properties to the sum of $375,000 with the County additionally agreeing to solely at its cost and expense satisfy all delinquent real property taxes owing with respect said properties.

Please advise as to the acceptability of this offer.

Very truly yours,

Gregory A. Rutnik, Esq.
Assistant County Attorney

APPROPRIATIONS

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A9	8020	44072				Property Repair & Rental Purchas	$235,000		$235,000	Economic Development
						TOTAL APPROPRIATIONS	$235,000	$0		

ESTIMATED REVENUES

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A2	1310	02401				Int & Earnings on Investments		$235,000	$7,235,000	Finance
						TOTAL REVENUES	$0	$235,000		
						GRAND TOTAL	$235,000	$235,000		

COUNTY OF ALBANY

Real Estate Tax Statement

Parcel: 07604200010180000000

Location: 89 BEAVER ST

Owner:
TARZIA SALVATORE
91 BEAVER ST
ALBANY NY 12207

Status:

Square	0
Land Valuation:	235,000
Building Valuation:	0
Exemptions:	0
Taxable Valuation:	235,000
Interest Per Diem:	15,127.09

Legal Description:

Deed Date: **Book/Page:** **Interest Date:** 07/31/2024

Year	Type	Bill
2023	RE-E	5094

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	7,349.48	7,349.48	881.94	8,231.42
	5% PERCENT	367.47	367.47	0.00	367.47
		7,716.95	7,716.95	881.94	8,598.89
Year Totals		**7,716.95**	**7,716.95**	**881.94**	**8,598.89**

Year	Type	Bill
2023	RE-1	6179

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	4,429.28	4,429.28	930.15	5,359.43
	ALBANY WAT	1,007.83	1,007.83	211.64	1,219.47
	OTHER CHAR	655.65	655.65	137.69	793.34
	5 PERCENT	304.64	304.64	0.00	304.64
		6,397.40	6,397.40	1,279.48	7,676.88
Year Totals		**6,397.40**	**6,397.40**	**1,279.48**	**7,676.88**

Year	Type	Bill
2022	RE-E	4373

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	7,574.88	7,574.88	1,817.97	9,392.85
	5% PERCENT	378.74	378.74	0.00	378.74
		7,953.62	7,953.62	1,817.97	9,771.59
Year Totals		**7,953.62**	**7,953.62**	**1,817.97**	**9,771.59**

Year	Type	Bill
2022	RE-1	6048

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	4,323.10	4,323.10	1,426.62	5,749.72
	OTHER CHAR	655.65	655.65	216.36	872.01
	MAILING CH	1.00	1.00	0.00	1.00
	5 PERCENT	248.94	248.94	0.00	248.94
		5,228.69	5,228.69	1,642.98	6,871.67
Year Totals		**5,228.69**	**5,228.69**	**1,642.98**	**6,871.67**

COUNTY OF ALBANY

Real Estate Tax Statement

Year	Type	Bill
2021	RE-E	3977

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	7,298.64	7,298.64	2,627.51	9,926.15
	5% PERCENT	364.93	364.93	0.00	364.93
		7,663.57	7,663.57	2,627.51	10,291.08
Year Totals		**7,663.57**	**7,663.57**	**2,627.51**	**10,291.08**

Year	Type	Bill
2021	RE-1	6327

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	4,226.46	4,226.46	1,901.91	6,128.37
	ALBANY WAT	794.13	794.13	357.36	1,151.49
	OTHER CHAR	623.69	623.69	280.66	904.35
	5 PERCENT	282.21	282.21	0.00	282.21
		5,926.49	5,926.49	2,539.93	8,466.42
Year Totals		**5,926.49**	**5,926.49**	**2,539.93**	**8,466.42**

Year	Type	Bill
2020	RE-E	5604

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	7,117.00	7,117.00	3,416.16	10,533.16
	5% PERCENT	355.85	355.85	0.00	355.85
		7,472.85	7,472.85	3,416.16	10,889.01
Year Totals		**7,472.85**	**7,472.85**	**3,416.16**	**10,889.01**

Grand Totals	**48,359.57**	**48,359.57**	**14,205.97**	**62,565.54**

PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE
AMOUNT OWED WILL RESULT IN THE LOSS OF THE PROPERTY(IES).

PAYMENT MADE TO:
ALBANY COUNTY DIVISION OF FINANCE
112 STATE ST. ROOM 1340
ALBANY, NY 12207
TEL: 447-7082

$35.00 WILL BE CHARGED FOR ANY RETURNED CHECK
INTEREST WILL INCREASE ON THE 1ST OF THE MONTH

** End of Report - Generated by Hall, Rema **

COUNTY OF ALBANY

Real Estate Tax Statement

Parcel: 07604200010170000000

Location: 93 BEAVER ST

Owner:
TARZIA SALVATORE
89 BEAVER ST
ALBANY NY 12207

Status:

Square	0
Land Valuation:	16,000
Building Valuation:	0
Exemptions:	0
Taxable Valuation:	16,000
Interest Per Diem:	1,114.43

Legal Description:

Deed Date: **Book/Page:** **Interest Date:** 07/31/2024

Year	Type	Bill
2023	RE-E	5093

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	500.39	500.39	60.05	560.44
	5% PERCENT	25.02	25.02	0.00	25.02
		525.41	525.41	60.05	585.46
Year Totals		**525.41**	**525.41**	**60.05**	**585.46**

Year	Type	Bill
2023	RE-1	6178

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	301.56	301.56	63.33	364.89
	ALBANY WAT	287.00	287.00	60.27	347.27
	OTHER CHAR	44.64	44.64	9.37	54.01
	5 PERCENT	31.66	31.66	0.00	31.66
		664.86	664.86	132.97	797.83
Year Totals		**664.86**	**664.86**	**132.97**	**797.83**

Year	Type	Bill
2022	RE-E	3303

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	515.73	515.73	123.78	639.51
	5% PERCENT	25.79	25.79	0.00	25.79
		541.52	541.52	123.78	665.30
Year Totals		**541.52**	**541.52**	**123.78**	**665.30**

Year	Type	Bill
2022	RE-1	6047

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	294.34	294.34	97.13	391.47
	OTHER CHAR	44.64	44.64	14.73	59.37
	MAILING CH	1.00	1.00	0.00	1.00
	5 PERCENT	16.95	16.95	0.00	16.95
		356.93	356.93	111.86	468.79
Year Totals		**356.93**	**356.93**	**111.86**	**468.79**

COUNTY OF ALBANY

Real Estate Tax Statement

Year	Type	Bill
2021	RE-E	3976

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	496.93	496.93	178.89	675.82
	5% PERCENT	24.85	24.85	0.00	24.85
		521.78	521.78	178.89	700.67
Year Totals		**521.78**	**521.78**	**178.89**	**700.67**

Year	Type	Bill
2021	RE-1	6326

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	287.76	287.76	129.49	417.25
	ALBANY WAT	127.01	127.01	57.15	184.16
	OTHER CHAR	42.46	42.46	19.11	61.57
	5 PERCENT	22.86	22.86	0.00	22.86
		480.09	480.09	205.75	685.84
Year Totals		**480.09**	**480.09**	**205.75**	**685.84**

Year	Type	Bill
2020	RE-E	5603

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	484.56	484.56	232.59	717.15
	5% PERCENT	24.23	24.23	0.00	24.23
		508.79	508.79	232.59	741.38
Year Totals		**508.79**	**508.79**	**232.59**	**741.38**

Grand Totals	**3,599.38**	**3,599.38**	**1,045.89**	**4,645.27**

PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE
AMOUNT OWED WILL RESULT IN THE LOSS OF THE PROPERTY(IES).

PAYMENT MADE TO:
ALBANY COUNTY DIVISION OF FINANCE
112 STATE ST. ROOM 1340
ALBANY, NY 12207
TEL: 447-7082

$35.00 WILL BE CHARGED FOR ANY RETURNED CHECK
INTEREST WILL INCREASE ON THE 1ST OF THE MONTH

** End of Report - Generated by Hall, Rema **

COUNTY OF ALBANY

Real Estate Tax Statement

Parcel: 07604200010160000000

Location: 95 BEAVER ST

Owner:
TARZIA SALVATORE
89 BEAVER ST
ALBANY NY 12207

Status:

Square	0
Land Valuation:	16,000
Building Valuation:	0
Exemptions:	0
Taxable Valuation:	16,000
Interest Per Diem:	1,119.68

Legal Description:

Deed Date: **Book/Page:** **Interest Date:** 07/31/2024

Year	Type	Bill
2023	RE-E	5092

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	500.39	500.39	60.05	560.44
	5% PERCENT	25.02	25.02	0.00	25.02
		525.41	525.41	60.05	585.46
Year Totals		**525.41**	**525.41**	**60.05**	**585.46**

Year	Type	Bill
2023	RE-1	6177

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	301.56	301.56	63.33	364.89
	ALBANY WAT	299.02	299.02	62.79	361.81
	OTHER CHAR	44.64	44.64	9.37	54.01
	5 PERCENT	32.26	32.26	0.00	32.26
		677.48	677.48	135.49	812.97
Year Totals		**677.48**	**677.48**	**135.49**	**812.97**

Year	Type	Bill
2022	RE-E	3302

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	515.73	515.73	123.78	639.51
	5% PERCENT	25.79	25.79	0.00	25.79
		541.52	541.52	123.78	665.30
Year Totals		**541.52**	**541.52**	**123.78**	**665.30**

Year	Type	Bill
2022	RE-1	6046

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	294.34	294.34	97.13	391.47
	OTHER CHAR	44.64	44.64	14.73	59.37
	MAILING CH	1.00	1.00	0.00	1.00
	5 PERCENT	16.95	16.95	0.00	16.95
		356.93	356.93	111.86	468.79
Year Totals		**356.93**	**356.93**	**111.86**	**468.79**

COUNTY OF ALBANY

Real Estate Tax Statement

Year	Type	Bill
2021	RE-E	3975

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	496.93	496.93	178.89	675.82
	5% PERCENT	24.85	24.85	0.00	24.85
		521.78	521.78	178.89	700.67
Year Totals		**521.78**	**521.78**	**178.89**	**700.67**

Year	Type	Bill
2021	RE-1	6325

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	287.76	287.76	129.49	417.25
	ALBANY WAT	132.30	132.30	59.54	191.84
	OTHER CHAR	42.46	42.46	19.11	61.57
	5 PERCENT	23.13	23.13	0.00	23.13
		485.65	485.65	208.14	693.79
Year Totals		**485.65**	**485.65**	**208.14**	**693.79**

Year	Type	Bill
2020	RE-E	5602

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	484.56	484.56	232.59	717.15
	5% PERCENT	24.23	24.23	0.00	24.23
		508.79	508.79	232.59	741.38
Year Totals		**508.79**	**508.79**	**232.59**	**741.38**

Grand Totals	**3,617.56**	**3,617.56**	**1,050.80**	**4,668.36**

PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE
AMOUNT OWED WILL RESULT IN THE LOSS OF THE PROPERTY(IES).

PAYMENT MADE TO:
ALBANY COUNTY DIVISION OF FINANCE
112 STATE ST. ROOM 1340
ALBANY, NY 12207
TEL: 447-7082

$35.00 WILL BE CHARGED FOR ANY RETURNED CHECK
INTEREST WILL INCREASE ON THE 1ST OF THE MONTH

** End of Report - Generated by Hall, Rema **

COUNTY OF ALBANY

Real Estate Tax Statement

Parcel: 07604200010150000000

Location: 97 BEAVER ST

Owner:
TARZIA SALVATORE
89 BEAVER ST
ALBANY NY 12207

Status:

Square	0
Land Valuation:	16,000
Building Valuation:	0
Exemptions:	0
Taxable Valuation:	16,000
Interest Per Diem:	1,109.20

Legal Description:

Deed Date: **Book/Page:** **Interest Date:** 07/31/2024

Year	Type	Bill
2023	RE-E	5091

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	500.39	500.39	60.05	560.44
	5% PERCENT	25.02	25.02	0.00	25.02
		525.41	525.41	60.05	585.46
Year Totals		**525.41**	**525.41**	**60.05**	**585.46**

Year	Type	Bill
2023	RE-1	6176

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	301.56	301.56	63.33	364.89
	ALBANY WAT	275.05	275.05	57.76	332.81
	OTHER CHAR	44.64	44.64	9.37	54.01
	5 PERCENT	31.06	31.06	0.00	31.06
		652.31	652.31	130.46	782.77
Year Totals		**652.31**	**652.31**	**130.46**	**782.77**

Year	Type	Bill
2022	RE-E	3301

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	515.73	515.73	123.78	639.51
	5% PERCENT	25.79	25.79	0.00	25.79
		541.52	541.52	123.78	665.30
Year Totals		**541.52**	**541.52**	**123.78**	**665.30**

Year	Type	Bill
2022	RE-1	6045

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	294.34	294.34	97.13	391.47
	OTHER CHAR	44.64	44.64	14.73	59.37
	MAILING CH	1.00	1.00	0.00	1.00
	5 PERCENT	16.95	16.95	0.00	16.95
		356.93	356.93	111.86	468.79
Year Totals		**356.93**	**356.93**	**111.86**	**468.79**

COUNTY OF ALBANY

Real Estate Tax Statement

Year	Type	Bill
2021	RE-E	3974

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	496.93	496.93	178.89	675.82
	5% PERCENT	24.85	24.85	0.00	24.85
		521.78	521.78	178.89	700.67
Year Totals		**521.78**	**521.78**	**178.89**	**700.67**

Year	Type	Bill
2021	RE-1	6324

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY PRO	287.76	287.76	129.49	417.25
	ALBANY WAT	121.72	121.72	54.77	176.49
	OTHER CHAR	42.46	42.46	19.11	61.57
	5 PERCENT	22.60	22.60	0.00	22.60
		474.54	474.54	203.37	677.91
Year Totals		**474.54**	**474.54**	**203.37**	**677.91**

Year	Type	Bill
2020	RE-E	5601

Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	ALBANY SCH	484.56	484.56	232.59	717.15
	5% PERCENT	24.23	24.23	0.00	24.23
		508.79	508.79	232.59	741.38
Year Totals		**508.79**	**508.79**	**232.59**	**741.38**

Grand Totals	**3,581.28**	**3,581.28**	**1,041.00**	**4,622.28**

PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE
AMOUNT OWED WILL RESULT IN THE LOSS OF THE PROPERTY(IES).

PAYMENT MADE TO:
ALBANY COUNTY DIVISION OF FINANCE
112 STATE ST. ROOM 1340
ALBANY, NY 12207
TEL: 447-7082

$35.00 WILL BE CHARGED FOR ANY RETURNED CHECK
INTEREST WILL INCREASE ON THE 1ST OF THE MONTH

** End of Report - Generated by Hall, Rema **

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Purchase of Beaver St properties for MVP arena use

Project Location (describe, and attach a location map):
89-97 Beaver St., City of Albany, NY

Brief Description of Proposed Action:
The County of Albany proposes to purchase vacant lots located at 93, 95, and 97 Beaver St. and pave them to provide additional parking for performers and equipment at the MVP arena. The property at 89 Beaver St. will remain in its current use.

Name of Applicant or Sponsor:	Telephone: 518-447-5642
Albany County Executive's Office	E-Mail: michael.lalli@albanycountyny.gov

Address:
112 State St. Room 1200

City/PO:	State:	Zip Code:
Albany	NY	12207

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Albany County Legislature	☐	☑

3. a. Total acreage of the site of the proposed action? .23 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .23 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	☐	☑

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☐	☑
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☐	☑
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: Dishcharge to City of Albany storm or combined system		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael Lalli Date: _____

Signature: _____ Title: Director of Operations

PRINT FORM

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✔	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	✔	☐
3. Will the proposed action impair the character or quality of the existing community?	✔	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✔	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✔	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✔	☐
7. Will the proposed action impact existing: a. public / private water supplies?	✔	☐
b. public / private wastewater treatment utilities?	✔	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✔	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✔	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✔	☐
11. Will the proposed action create a hazard to environmental resources or human health?	✔	☐

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Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

This action currently includes only the purchase of the property. Development plans are only conceptual at this time and site specific information has not been documented. Additional feasibility and engineering studies, planning and design, and consultation with potential involved agencies are necessary to determine the suitability of the site for a fire training facility and to assess potential environmental impacts. Future development of this property will be treated as a separate action under SEQR and there will not be cumulative impacts so segmentation is not less protective of the environment. It has been determined that the purchase of the property does not commit the county to any additional action. Funding for the project only includes acquisition.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Albany County Legislature	July 11, 2024
Name of Lead Agency	Date
Hon. Joanne Cunningham	Chairwoman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Purchase of Route 9W parcels for public safety training

Project Location (describe, and attach a location map):
Parcel number 87.03-2-4 and 87.03-2-5./2 on Route 9W in the Town of Bethlehem, NY

Brief Description of Proposed Action:
Albany County is proposing purchasing 7.77 acres of property on Route 9W for potential development of a fire training facility. The action under review currently includes only the purchase of the property. Plans are currently only conceptual and there is not adequate information available to assess the environmental impact of the potential development. Additional feasbility and engineering studies, planning and design and consultation with potential involved agencies are necessary to determine the suitability of the site for a fire training facility and to assess potential environmental impacts. Future development of this property, should it occur, will be treated as a separate action under SEQR. It has been determined that the purchase of the property does not commit the county to any additional action.

Name of Applicant or Sponsor:	Telephone: 518-447-5642
Albany County Executive's Office	E-Mail: Michael.lalli@albanycountyny.gov

Address:
112 State St. Room 1200

City/PO:	State:	Zip Code:
Albany	NY	12207

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Albany County Legislature	☐	☑

3. a. Total acreage of the site of the proposed action? 7.77 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.77 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☑ Forest ☐ Agriculture ☑ Aquatic ☐ Other(Specify):
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	✔
b. Consistent with the adopted comprehensive plan?	☐	☐	✔

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	✔
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	✔	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✔	☐
b. Are public transportation services available at or near the site of the proposed action?	✔	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	✔	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A	✔	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A	✔	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A	✔	☐
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	✔	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	✔
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	✔
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	✔	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☑ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☑ Wetland ☐ Urban ☐ Suburban

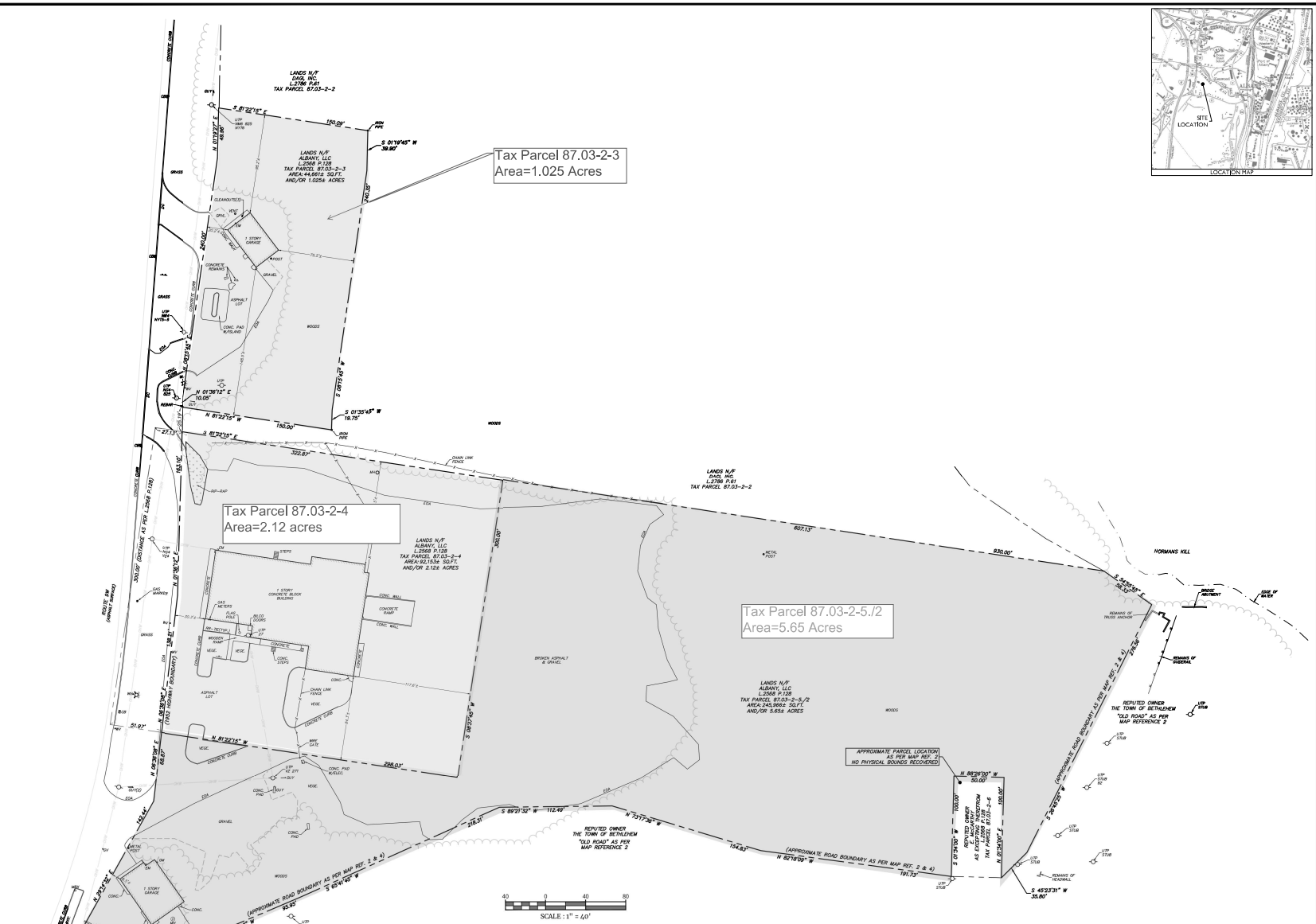
	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael Lalli Date: 7/11/2024

Signature: Michael A. Lalli Digitally signed by Michael Lalli DN: cn=Michael Lalli, o=Albany County, ou, email=michael.lalli@albanycountyny.gov, c=US Date: 2024.07.17 15:08:33 -04'00' Title: Director of Operations

PRINT FORM



LOCATION MAP

Colliers Engineering & Design

www.colliersengineering.com

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Doing Business as CLASSIC ABSTRACT

PROTECT YOURSELF!
ALL UTILITIES BELOW GROUND MUST BE MARKED PRIOR TO ANY EXCAVATION. ALL UTILITIES ARE NOT SHOWN ON THIS MAP. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UNMARKED UTILITIES.

Call before you dig.
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

REV	DATE	DRAWN BY	DESCRIPTION

REV	DATE	DRAWN BY	DESCRIPTION

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.

PRELIMINARY

DONALD P. BOHEL
NEW YORK LICENSED LAND SURVEYOR
LICENSE NUMBER: 050927
COLLIERS ENGINEERING & DESIGN CT, P.C.
N.Y. C.O.A #:0017608

BOUNDARY SURVEY

OF

PARCELS
87.03-2-4
87.03-2-3
87.03-2-5./2

TOWN OF BETHLEHEM
COUNTY OF ALBANY
STATE OF NEW YORK

Colliers Engineering & Design
ALBANY
18 Computer Drive East
Suite 201
Albany, NY 12205
Phone: 518.459.3252
COLLIERSENGINEERING.COM
NEW YORK | CONNECTICUT | PENNSYLVANIA
VERMONT | MAINE

SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN	05/13/22	MVR	DPB

PROJECT NUMBER	PROJECT NAME
220043476	ALBANY

SHEET TITLE
BOUNDARY SURVEY

SHEET NUMBER
01 of 01

MAP REFERENCES:

1. MAP ENTITLED "MAP OF SITE PLAN, PROPERTY LOCATED ON U.S. ROUTE 9W, TOWN OF BETHLEHEM, MAP NO.: 321" BY PAUL E. HITE. DATED AUGUST 2, 1990.
2. MAP ENTITLED "MAP OF LANDS OF PARKER & EDWIN CORNING AT KENWOOD IN THE TOWN OF BETHLEHEM, ALBANY CO., N.Y." BY LESLIE C. SHERMAN. DATED OCTOBER 26TH, 1935. LAST REVISED AUGUST 27, 1943.
3. MAP ENTITLED "MAP OF PORTION OF LANDS OF PARKER & EDWIN CORNING AT KENWOOD, IN THE TOWN OF BETHLEHEM, ALBANY CO., N.Y." BY HERSCHEL ROBERTS, CIVIL ENGINEER. DATED APRIL 2ND, 1931.
4. MAP ENTITLED "MAP OF LANDS OF REGINA KAMINSKY" FILED IN THE ALBANY COUNTY CLERKS OFFICE ON OCTOBER 11, 1960 AS MAP NO.: 3820.
5. MAP ENTITLED "CUMBERLAND FARMS ALTA/ACSM LAND TITLE SURVEY, 68 NEW YORK STATE ROUTE 9W" BY CONTROL POINT ASSOCIATES. DATED JANUARY 4, 2005. LAST REVISED MARCH 10, 2006.
6. MAP ENTILED "CUMBERLAND FARMS AS-BUILT SURVEY, 68 NEW YORK STATE ROUTE 9W" BY CONTROL POINT ASSOCIATES. DATED SEPTEMBER 20, 2007.
7. MAP ENTITLED "NEW YORK STATE THRUWAY, THE CATSKILL SECTION, COUNTY OF ALBANY, SUBDIVISION NO.5, TOWN OF BETHLEHEM, DIST NO.1. MAP NO. 441 PAR. NO. 526. JOSEPH ALOESSO (REPUTED OWNER)" BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS. DATED OCTOBER 28, 1952.
8. MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY, LANDS OF FRANK & JOSEPH ALESSO FOR SUN OIL COMPANY" BY C.T. MALE ASSOCIATES. DATED NOVEMBER 16, 1962.

GENERAL NOTES:

1. UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES.
2. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE STRUCTURES, ARE FOR A SPECIFIC PURPOSE AND USE; THEREFORE, THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.
3. EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF THE SURVEY.
4. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
5. SUBJECT TO ANY STATE OF FACTS AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
6. BASIS OF BEARING IS NEW YORK STATE PLANE COORDINATE SYSTEM EAST ZONE. CONTROL WAS ESTABLISHED USING NYSNET. THE HORIZONTAL DATUM IS RELATIVE TO NAD83.

LEGEND

	PROPERTY BOUNDARY
	ADJACENT BOUNDARY
	EDGE OF ASPHALT
	EDGE OF CONCRETE
	FENCE
X X X X	CLOSING
	OVERHEAD WIRES
	PAVEMENT STRIPING
	MONUMENTATION
	BOUNDARY MARKER
	LIGHT POLE
	ELECTRICAL BOX
	UTILITY POLE
	GUY WIRE
MH	STORM MANHOLE
	POST / MARKER
	VENT / CAP
	BOLLARD
	SIGN
	CATCH BASINS
	HYDRANT
WV	WATER VALVE
GV	GAS VALVE
CB	= CATCH BASIN
EM	= ELECTRIC METER
GM	= GAS METER
GV	= GAS VALVE
WV	= WATER VALVE
EDA	= EDGE OF ASPHALT
LUP	= LIGHT POLE
MBV	= MAIL BOX
VEGE	= VEGETATION

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

Albany County
Office of Natural Resource Conservation
112 State Street, Room 1310
Albany, NY 12207-2021
Telephone: (518) 447-5670
http://www.albanycounty.com

MEMORANDUM

TO: Michael Lalli

CC:

FROM: Laura DeGaetano, Sr. Natural Resource Planner

DATE: July 12, 2024

RE: Purchase of 52 Howard St. Garage

SUBJECT: SEQR compliance

I have reviewed the proposed project provided by the County Executive's Office as it relates to State Environmental Quality Review (SEQR). According to the material provided, the project includes purchasing a garage located at 52 Howard St. in the City of Albany. An engineering report commissioned by the county determined that due to structural deficiencies, the existing structure must be demolished. Current plans include demolition of the structure and grading and paving the lot to provide surface parking.

As described above, this project meets the criteria established for SEQR Unlisted Actions. Accordingly, a short environmental assessment form (see attached) was completed and it has been determined that there will be no significant negative impact to the environment.

Should you have any questions or require additional information, please feel free to call me at your convenience.

DANIEL P. MCCOY
COUNTY EXECUTIVE

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

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

June 11, 2024

Hon. Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street., Rm 710
Albany, NY 12207

Chairwoman Cunningham,

The Albany County Executive's Office seeks Legislative permission to enter into an agreement with Howard Parking Garage LLC to purchase 52 Howard Street located in the city of Albany, New York. We would like to purchase the property for the sum of $235,000 as is and in present condition. This property will be used for County parking. An engineering report has been requested by Collier Engineering, but has not been completed.

Sincerely,

Daniel P. McCoy
Albany County Executive

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-5605, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION
Description (e.g., Contract Authorization for Information Services):
Permission to purchase 52 Howard Street

Date: 6/11/2024
Department: County Executive Office
Attending Meeting: Michael Lalli
Submitted By: Wesley Hartmann
Title: Operations Analyst
Phone: 5184477040

Purpose of Request: Contract Authorization Enter text.

CONTRACT TERMS/CONDITIONS:
Party Names and Addresses:
Howard Parking Garage LLC
548 W 28th Street, Suite 645
New York, NY 10001

Term: (Start/end date or duration) TBD
Amount/Raise Schedule/Fee: Sum no greater than $235,000.00

BUDGET INFORMATION:
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

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

County Budget Accounts:
Revenue Account and Line: A21310.02401
Revenue Amount: $235,000.00
Appropriation Account and Line: A98020.44072
Appropriation Amount: $235,000.00

ADDITIONAL INFORMATION:
Mandated Program/Service: Yes ☐ No ☒

If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:
Competitive Bidding Exempt: Yes ☒ No ☐
# of Response(s): Enter text.
# of MWBE: Enter text.
# of Veteran Business: Enter text.
Bond Resolution No.: Enter text.
Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:
Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)
We are seeking permission to purchase 52 Howard Street, located in the city of Albany, NY.

PURCHASE AND SALE AGREEMENT

Agreement made this _____ day of May, 2024, by and between Howard Parking Garage LLC, having an office at 548 W 28th Street, Ste. 645, New York, New York 10001 (the "Seller"), and County of Albany, having an address at 112 State Street, Albany, New York 12207 (the "Buyer").

W I T N E S S E T H:

WHEREAS, the Seller is the owner of certain real property located in the City of Kingston, Ulster County, New York, commonly known as 52 Howard Street, Albany, New York, as more particularly described in Schedule A attached hereto and made a part hereof (the "Premises"); and

WHEREAS, the Seller desires to sell, and the Buyer desires to purchase, the Premises upon the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, it is agreed as follows:

1. **Sale of Premises.** Subject to the terms and conditions set forth in this Agreement, the Buyer agrees to purchase the Premises from the Seller and the Seller agrees to sell and convey the Premises to the Buyer.

2. **Purchase Price.** The total purchase price to be paid by the Buyer to the Seller for the Premises conveyed shall be Two Hundred Thirty-Five Thousand and no/100 Dollars ($235,000.00) (the "Purchase Price"), which shall be payable as follows:

(a) Ten Thousand ($23,500.00) Dollars shall be delivered to the Seller's attorney upon the Buyer's execution of this Agreement to be held by Seller's attorney in escrow (this amount is referred to as the "Deposit"); and

(b) The balance of the Purchase Price, or $211,500.00 shall be paid to the Seller at Closing by certified check, bank check or wire transfer of funds; and

(c) The Deposit shall be non-refundable to the Purchaser except as follows:

i. In the event the Seller is unable to provide marketable title to the Purchaser; or

ii. In the event the Seller fails to fulfill its obligations under this Agreement.

3. **Closing.**

(a) The closing(s) (the "Closing") shall be held on or about June 28, 2024 (the "Closing Date") at the office of the Seller, or at such other place as may be mutually agreed upon by the parties.

(b) Upon payment to the Seller of the amount payable at Closing, the Seller shall convey the Premises to the Buyer or an entity controlled by the Buyer by means of a bargain and sale deed with covenants against grantor's acts, in proper form for recording.

(c) The Seller shall convey, and the Buyer shall accept the Premises subject to all covenants, conditions, restrictions and easements of record and zoning and environmental protection laws, also subject to any existing tenancies, except as herein provided, also subject to a certain pending code violation issued by the City of Albany, any unpaid installments of street or other improvement assessments payable after the date of the transfer of title to the property, and any state of facts which an inspection and/or accurate survey may show, provided that nothing in this paragraph renders the title to the property uninsurable.

(d) Subject to paragraphs 8 and 9(b) hereof, the Buyer and the Seller agree that they shall prorate, as of the Closing Date, all rents, taxes, sewer and water rents and fuel, if any.

4. Intentionally left blank.

5. **Covenants of the Seller and Buyer.**

(a) The Buyer agrees to accept the Premises on an "as is" basis and in present condition as of the date hereof, without representation or warranty from the Seller of any kind, subject to reasonable wear, tear and natural deterioration from the date hereof to the date of Closing, and subject to a certain code violation pending with the City of Albany, see paragraph 3(c) above, 6(d) below and Schedule B attached.

(b) Prior to the Closing Date, the Seller will not encumber the Premises, either in whole or in part, or enter into any agreement, lease or transaction or make any commitment relating to the Premises, other than in the regular course of business.

6. **Representations of Seller.** The Seller hereby represents and warrants to Buyer as follows:

(a) Authorization. The Seller is duly authorized by all necessary corporate action to execute, deliver and perform this Agreement;

(b) Brokers. The transactions contemplated herein were not submitted by the Seller to any broker, finder or similar person who is entitled to a commission, fee or like payment thereon, except for Carrow Real Estate Services, and the actions of Seller have not given rise to any claim by any person for a commission, fee or like payment against Seller, except for Carrow Real Estate Services whose commission will be paid by the Seller.

(c) No Violation of Law or Other Instrument. The execution and delivery of this Agreement do not, and the consummation of the transactions contemplated hereby will not, violate or conflict with (i) the Seller's Articles of Organization and Operating Agreement, if any; or (ii) any law or regulation or any provision of any mortgage, note, lien, lease, agreement, instrument, order, judgment or decree to which the Seller is a party or by which it is bound.

(d) There is a pending City of Albany code violation relating to the Premises, see Schedule B attached and this sale is subject to said violation.

and

7. **Representations of Buyer.** The Buyer hereby represents and warrants to the Seller as follows:

(a) The execution, delivery and performance of this Agreement, the consummation of the transactions contemplated hereby and compliance with the provisions of this Agreement have been duly authorized by all necessary action of the Buyer and do not and will not (i) require the consent of any party (which has not heretofore been received) and will not result in a breach or default under any credit agreement, indenture, business agreement, mortgage, deed of trust, commitment, guarantee or any other agreement or instrument to which the Buyer is a party or by which the Buyer may be bound or affected; or (ii) conflict with or violate any existing law, rule, regulation, judgment, order or decree of any government, governmental instrumentality, agency or court having jurisdiction over the Buyer; and

(b) The transactions contemplated herein were not submitted by the Buyer to any broker, finder or similar person who is entitled to commission, fee or like payment thereon, except for Carrow Real Estate Services, and the actions of Buyer have not given rise to any claim by any person for a commission, fee or like payment against Seller except for Carrow Real Estate Services whose commission will be paid by the Seller. Buyer agrees to defend, indemnify, and hold harmless the Seller as a result of Buyer's breach of the foregoing representations regarding the broker, such indemnity to survive the Closing.

8. **Tenants.** The Premises currently has no tenants and Seller represents and warrants that there are no written leases.

9. **Tax Matters.**

(a) The Seller shall pay any and all state and local real estate transfer taxes due and owing in connection with the sale of the Premises.

(b) Buyer shall, as of and including the Closing Date, be responsible for all taxes, sewer and water rents associated with the entire Premises.

10. **Contingencies.**

(a) The obligations of the Buyer under this Agreement shall be subject to the satisfaction, on or before the Closing Date, of the following conditions (any of which may be waived in whole or in part by the Buyer):

(i) All of the representations and warranties made by Seller as set forth in this Agreement shall be true and correct as of the Closing Date in all material respects; and

(ii) The Seller shall have performed, observed and complied with all covenants, agreements and conditions required by this Agreement to be performed by Seller at or prior to the Closing; and

(b) The obligations of Seller to convey, transfer and sell the Premises to the Buyer pursuant to this Agreement shall be subject to the satisfaction, on or before the Closing Date, of the following conditions (any of which may be waived in whole or in part by the Seller):

(i) The representations and warranties of Buyer as set forth in this Agreement shall be true and correct in all material respects as of the Closing Date;

(ii) The Buyer shall have duly performed and complied with all agreements and conditions required by this Agreement to be performed or complied with by the Buyer at or before the Closing Date; and

(iii) The Buyer shall have paid the amount of the Purchase Price due to Seller on or before the Closing Date in accordance with the terms and provisions of this Agreement.

11. **Remedies.**

(a) If the Seller shall be unable to convey title to the Premises in accordance with the terms and provisions of this Agreement, or this Agreement is terminated by the

Purchaser pursuant to a contingency set forth in 2(c), as of the Closing Date, then the Buyer may terminate this Agreement and neither party shall have any liability to the other nor be able to pursue the equitable remedy of specific performance. Under such circumstances the Deposit shall be paid to the Buyer, and the Seller shall have no further liability to the Buyer.

(b) Except as otherwise set forth herein, if the Buyer shall fail to comply with its obligations under this Agreement, the Seller shall have the right to keep and retain the Deposit as liquidated damages. Seller and Buyer agree that it would be impracticable and extremely difficult to fix the actual damages suffered by Seller as a result of Buyer's failure to perform their obligations under this Agreement. The parties further agree that under the circumstances existing as of the date hereof, the liquidated damages provided for in this section represents a reasonable estimate of the damages which Seller would incur as a result of such failure. In addition, if the Buyer shall fail to comply with its obligations under this Agreement, Buyer shall deliver to Seller any and all work product produced by or for Buyer relating to its inspection and survey and any development of the Premises including, but not limited to maps, surveys, site plans, permits, approvals, tenant deal sheets and correspondence (the "Work Product"). The Work Product shall not include architectural/Mechanical drawings, floor plans or elevations. Seller shall have the right to pursue the equitable relief of specific performance for the delivery of the Work Product. Upon the delivery of the Work Product, the Seller may terminate this Agreement and neither party shall have any further liability to the other nor be able to pursue the equitable remedy of specific performance.

12. **Title Insurance and Survey.** A title insurance policy and current survey, if required by the Buyer, shall be obtained at the Buyer's expense. The Seller shall cooperate in providing any available existing survey, abstract of title or title insurance policy information it may possess without cost to the Buyer.

13. **Destruction, Damage or Condemnation.**

(a) The provisions of Section 5-1311 of the New York General Obligations Law shall apply to the purchase and sale of the Premises as contemplated by this Agreement in the event that the Premises are destroyed or damaged.

(b) If the whole of the Premises shall be acquired or condemned by eminent domain for any public or quasi-public use or purpose (a "Taking"), then in that event, this Agreement shall terminate and shall be of no further force or effect and neither party shall have any further obligation to the other except that the Deposit shall be returned to the Buyer.

(c) In the event of a material Taking of less than the whole of the Premises, then, at the Buyer's option, this Agreement shall (i) terminate and shall be of no further

force or effect whatsoever and neither party shall have any further obligation to the other except that the Deposit or shall be returned to the Buyer; or (ii) cease and expire with respect only to the portion of the Premises so taken, yet all other terms and conditions contained herein shall remain in full force and effect, so long as (a) the Premises may continue to be used in compliance with applicable zoning laws and regulations; and (b) the Seller shall assign the proceeds of any condemnation award to the Buyer.

14. **Condition of Premises.** The Buyer does hereby acknowledge, represent, warrant and covenant for the benefit of the Seller that:

14.1 **Disclaimers.**

(a) The Buyer is expressly purchasing the Premises in its existing condition and its condition at Closing "AS IS, WHERE IS AND WITH ALL FAULTS," including, but not limited to, a certain code violation pending by the City of Albany. Seller has made and makes no agreement, covenant, representation or warranty about: title to the Premises; the physical condition of the Premises; any use of the Premises or what can be built on the Premises; any physical condition on, above or under the Premises, or the physical condition of the improvements on the Premises, or any personal property or fixture in or on the Premises; the economic value, revenue or expenses of the Premises; or any thing or condition affecting title to the Premises;

(b) The Seller shall have no obligation to repair or correct any conditions or defects or to compensate the Buyer for the same;

(c) The Buyer hereby assumes all responsibility to inspect and investigate the Premises and of all risk of adverse conditions;

(d) The Buyer has undertaken all the physical inspections and examinations of the Premises and all permits and approvals, if any, related thereto, as the Buyer deems necessary or appropriate, and has evaluated the suitability of the Premises for the Buyer's intended use; the Buyer is relying solely upon such inspections and examinations and the advice and counsel of its own agents, legal counsel and consultants;

(e) The Seller is not making and has not made any warranty or representation, either express or implied, with respect to the validity or accuracy of the materials or other data provided to the Buyer, the physical condition of the Premises, the existence or nonexistence of any permits or approvals or any other aspect of all or any part of the Premises, either as an inducement to the Buyer to purchase the Premises or for any other purpose, and the Buyer will independently verify the accuracy and reliability of all such matters and items;

(f) The Seller makes no acknowledgment, representation, warranty or agreement of any kind regarding any hazardous substances or materials, including, but not limited to, whether there has been or there will be escapage, seepage, leakage, spillage, discharge, emission or release on, in, at or under the Premises;

(g) The Buyer has independently determined that the Purchase Price is fair; and

(h) By reason of all the foregoing, the Buyer shall assume the full risk of any loss or damage occasioned by any fact, circumstance, condition or defect pertaining to the condition of the Premises.

Without limiting the generality of the foregoing, the Buyer acknowledges that it has had, or will during any due diligence provision herein have, adequate opportunity to become fully acquainted with the nature and condition, in all respects, of the Premises, the existence or availability of all permits and approvals from governmental authorities, and the condition and state of repair of any improvements situated on the Premises.

14.2 **Hazardous Materials.** The Seller has made no representations and shall have no liability to the Buyer with respect to the condition of the soil, the existence or nonexistence of hazardous substances or materials or contamination, or any past use of the Premises. The Buyer has conducted or will conduct such investigations and inspections as Buyer deems necessary and appropriate. The Buyer acknowledges that Seller is not in any manner responsible for the presence of hazardous substances or materials at, on, in, under or relating to the Premises. The Buyer hereby specifically releases Seller, its shareholders, officers, directors, employees, agents and personal representatives, their respective heirs, successors and assigns, from any and all claims, losses, liabilities, fines, charges, damages, injuries, penalties, response costs and expenses of any and every kind whatsoever (whether known or unknown) relating to the presence on, in, at or under, or the escape, seepage, leakage, spillage, discharge, emission or release of any hazardous substances or material on, in or at the Premises, whether occurring prior to or following the Closing. This release shall survive the Closing.

15. **Deposits.** It is agreed that the Deposit and any additional deposits by the Buyer are to be deposited with the Seller's attorney as part of the Purchase Price upon Buyer tendering its offer. If the Seller does not accept the Buyer's offer, then the Deposit shall be returned to Buyer. If the offer is accepted by the Seller, the Deposit will be held in escrow by the Seller's attorney in accordance with the terms of this Agreement.

16. **Notices.** All notices to be given hereunder shall be in writing and shall be personally delivered or sent by certified or registered mail, return receipt requested, postmarked before the required date, addressed as follows:

To Seller: Howard Parking Garage LLC
548 W 28th Street, Ste. 645
New York, New York 10001

With Copy To: Peter A. Pastore, Esq.
O'Connell & Aronowitz P.C.
54 State Street, 9th Floor
Albany, New York 12207
(518) 462-5601
papastore@oalaw.com

To Buyer: Albany County
112 State Street
Albany, NY 12207

With Copy To: Gregory A. Rutnik, Esq.
112 State Street
Albany, NY 12207
Greg.Rutnik@albanycountyny.gov

17. **Entire Agreement.** This Agreement supersedes all prior oral or written understandings among the parties with respect to the subject matter herein, and contains the entire agreement among the parties. Neither this Agreement nor any provision thereof may be changed, waived, modified or amended orally, but only by a written instrument signed by the party against whom the enforcement of such change, waiver, modification or amendment is sought.

18. **Binding Effect and Assignment.** This Agreement is binding upon and shall inure to the benefit of the parties hereto, their personal representatives, successors and assigns; provided, however, that this Agreement may not be assigned by the Buyer without the Seller's prior written consent, and no such assignment shall relieve the Buyer of its obligations hereunder.

19. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

20. **Fully Executed Agreement.** It is expressly understood and agreed that the delivery of this Agreement for review or otherwise by Seller to Buyer shall not in any way constitute an offer or create any rights in favor Buyer or other and shall in no way obligate or be binding upon Seller, and this Agreement shall have no force or effect unless and until the same is fully executed by both Seller and Buyer, and fully executed copies of this Agreement are exchanged by the parties hereto.

21. **Merger.** No term or provision of this Agreement shall survive the closing and transfer of title, as all such terms and provisions of this Agreement shall merge into the deed.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

SELLER: Howard Parking Garage LLC

By: _____
Name: _____
Title: _____

BUYER: County of Albany

By: _____
Name: _____
Title: _____

SCHEDULE "A"

ALL THAT PARCEL OF LAND, SITUATE IN THE CITY OF ALBANY, COUNTY OF ALBANY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF HOWARD STREET AND THE EASTERLY SIDE OF WENDELL STREET;

RUNNING THENCE ALONG THE SOUTHERLY SIDE OF HOWARD STREET, SOUTH 59° 43′ 40″ EAST 60.70 FEET TO A POINT;

THENCE SOUTH 30° 30′ 20″ WEST, 44.05 FEET;

THENCE SOUTH 11° 39′ 02″ WEST, 44.56 FEET;

THENCE NORTH 77° 01′ 28″ WEST, 55.02 FEET TO THE EASTERLY SIDE OF WENDELL STREET;

THENCE ALONG THE EASTERLY SIDE OF WENDELL STREET, THE FOLLOWING 2 COURSES AND DISTANCES:

1) NORTH 12° 58′ 32″ EAST, 50.22 FEET AND
2) NORTH 22° 40′ 51″ EAST, 55.18 FEET TO THE SOUTHERLY SIDE OF HOWARD STREET TO THE POINT OR PLACE OF BEGINNING

SCHEDULE "B"

Attach City of Albany Code Violation

APPROPRIATIONS

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A9	8020	44072				Property Repair & Purchase	$375,000		$610,000	Economic Development
						TOTAL APPROPRIATIONS	$375,000	$0		

ESTIMATED REVENUES

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A2	1310	02401				Int & Earnings on Investments		$375,000	$7,610,000	Finance
						TOTAL REVENUES	$0	$375,000		
						GRAND TOTAL	$375,000	$375,000		

DANIEL P. MCCOY
COUNTY EXECUTIVE

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

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

June 11, 2024

Hon. Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street., Rm 710
Albany, NY 12207

Chairwoman Cunningham,

The Albany County Executive's Office seeks Legislative permission to enter into an agreement with Albany LLC to purchase the property located at 42 Route 9W, located in Glenmont, New York, for a sum not to exceed $1,100,000. This property is a viable location for use as a fire tower training facility and would help prepare our fire fighters.

Sincerely,

Daniel P. McCoy
Albany County Executive

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Legislation Text

File #: TMP-5606, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION
Description (e.g., Contract Authorization for Information Services):
Permission to purchase 42 Route 9W

Date: 6/11/2024
Department: County Executive Office
Attending Meeting: Michael Lalli
Submitted By: Wesley Hartmann
Title: Operations Analyst
Phone: 5184477040

Purpose of Request: Contract Authorization Enter text.

CONTRACT TERMS/CONDITIONS:
Party Names and Addresses:
Albany LLC

Term: (Start/end date or duration) TBD
Amount/Raise Schedule/Fee: Not to exceed $1,100,000

BUDGET INFORMATION:
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

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

County Budget Accounts:
Revenue Account and Line: A21310.02401
Revenue Amount: $1,100,000
Appropriation Account and Line: A98020.44512
Appropriation Amount: $1,100,000

ADDITIONAL INFORMATION:
Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:

Competitive Bidding Exempt:	Yes ☒ No ☐
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date:	Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

We are seeking permission to contract with Albany LLC to purchase 42 Route 9W located in Bethlehem, NY. The building and land parcel would be used for a fire tower training facility.

APPROPRIATIONS

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A9	8020	44512				Public Safety Collaboration	$1,100,000		$1,100,000	Economic Development
						TOTAL APPROPRIATIONS	$1,100,000	$0		

ESTIMATED REVENUES

USE WHOLE NUMBERS ONLY

BUDGET LINE						DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY						
				STATE POS. CODE	POSITION CONTROL					
A2	1310	02401				Int & Earnings on Investments		$1,100,000	$8,710,000	Finance
						TOTAL REVENUES	$0	$1,100,000		
						GRAND TOTAL	$1,100,000	$1,100,000		

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

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

June 28th, 2024

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham:

On November 10, 2021 Albany County entered into an agreement with New York State Homes and Community Renewal (HCR) regarding the acceptance of Community Development Block Grant Program funding in the amount of $1,389,890. The funding supports a partnership with the Albany County Land Bank to rehabilitate residential buildings into affordable homeownership opportunities and expansion of mental health services in Albany County.

Albany County is requesting a no-cost, 3 month extension of the CDBG-CARES award 8CVHR33-21 following the June 28th, 2024 extension, now through September 30th, 2024. Albany County and its sub-awardees have spent down all awarded funds and the Mental Health System Support projects have been completed. The final piece of the housing remediation projects is to sell the properties to qualifying individuals who will retain permanent residence in the properties and rent additional residence at property to qualifying tenants. Additional time is needed to find qualifying buyers and close on the sales of the properties.

A request for the extension was submitted to HCR on June 18th, 2024 after having a conversation with HCR representatives who advised we request a grant extension.

If you have any questions about this request, please do not hesitate to contact me.

Sincerely,

Daniel P. McCoy

Daniel P. McCoy
Albany County Executive

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

Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207

Legislation Text

File #: TMP-5611, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Amendment to Extend Community Development Block Grant CARES (CDBG-CV) Agreement with NYS Homes and Community Renewal

Date: 6/28/24
Department: Management & Budget
Attending Meeting: Lucas Rogers
Submitted By: Alexandra Araujo
Title: Grants Coordinator
Phone: 518-447-5525

Purpose of Request: Contract Authorization Grant Contract Extension

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Office of Community Renewal 38-40 State Street, Hampton Plaza, 4th Floor Albany, New York, 12207

Term: (Start/end date or duration) 12/10/21-9/30/24
Amount/Raise Schedule/Fee: $1,389,890

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☐ No ☒
Anticipated in Budget: Yes ☒ No ☐
Spreadsheet attached: Yes ☐ No ☒

Source of Funding - (Percentages)

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

County Budget Accounts:
Revenue Account and Line: A4.4310.04489; A4.3650.04489
Revenue Amount: Enter text.
Appropriation Account and Line: 2022-800 (A.3650.44046)
Appropriation Amount: Enter text.

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.

Request for Bids / Proposals:

Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: 489, 2021; 507, 2022; 508, 2022; 283, 2023; 140, 2024

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

On November 10, 2021 Albany County entered into an agreement with New York State Homes and Community Renewal (HCR) regarding the acceptance of Community Development Block Grant Program funding in the amount of $1,389,890. Albany County and its sub-awardees have spent down all awarded funds and the Mental Health System Support projects have been completed. The final piece of the housing remediation projects is to sell the properties to qualifying individuals who will retain permanent residence in the properties and rent additional residence at property to qualifying tenants. Additional time is needed to find qualifying buyers and close on the sales of the properties. This 3 month, no-cost extension request allows for the Land Bank to complete its requirements.

RESOLUTION NO. 140

AMENDING RESOLUTION NO. 283 FOR 2023 REGARDING NEW YORK STATE HOMES AND COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT FUNDING

Introduced: 3/11/24
By Audit and Finance Committee:

WHEREAS, By Resolution No. 489 for 2021, this Honorable Body entered into an agreement with New York State Homes and Community Renewal regarding the acceptance of Community Development Block Grant Program funding in the amount of $1,389,890 for a term commencing immediately and ending November 10, 2022, and

WHEREAS, By Resolution No. 490 for 2021, as amended by Resolution No. 508 for 2022, this Honorable Body entered into an agreement with the Albany County Land Bank Corporation regarding the administration of the Community Development Block Grant Program in the amount of $1,000,000 for the improvement of qualifying parcels of real property, for a term commencing immediately and ending May 10, 2023, and

WHEREAS, By Resolution No. 283 for 2023, this Honorable Body authorized an extension of the grant program through December 29, 2023 in order to continue to administer the grant, and

WHEREAS, The County Executive has indicated that a no-cost extension through June 28, 2024 is necessary in order to finalize and close out the grant, now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution No. 283 for 2023 is hereby amended by replacing all instances of "December 29, 2023" with "June 28, 2024", and, be it further

RESOLVED, That the County Attorney is authorized to approve said amendments 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 – 3/11/24

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 11th day of March, 2024, 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 13th day of March, 2024.

Nicole Chambers

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
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WWW.ALBANYCOUNTY.COM

MICHAEL P. MCLAUGHLIN JR.
DEPUTY COUNTY EXECUTIVE

June 17, 2024

New York State Homes & Community Renewal
Office of Community Renewal
c/o Hailey Hamias
38-40 State Street, 4 South Hampton Plaza
Albany, NY 12207

Subject: Request for No Cost Extension of 8CVHR33-21

Albany County is requesting a no-cost, 3 month extension of the CDBG-CARES award 8CVHR33-21 following the June 28th, 2024 extension, now through September 30th, 2024. Albany County and its sub-awardees have spent down all awarded funds and the Mental Health System Support projects have been completed. The final piece of the housing remediation projects is to sell the properties to qualifying individuals who will retain permanent residence in the properties and rent additional residence at property to qualifying tenants. Additional time is needed to find qualifying buyers and close on the sales of the properties. We feel confident that our sub-awardee, the Albany County Land Bank, can sell these properties to serve the mission of the Community Development Block Grant, and anticipate that this extension should be sufficient to complete the work plan.

Timeline of Remaining Milestones for 48 & 50 Second Avenue (July 1, 2024 – September 30, 2024)

- Select income-qualified first-time homebuyers through a lottery to be held at the Land Bank's July Board Meeting (July 16, 2024)
- Get to a property closing with the selected qualified buyer (Late July 2024 – August 2024)
- Assist selected qualified buyer with developing a lease and finding an income qualified renter (August 2024)
- Project close-out (September 2024)

Thank you in advance for consideration of this request. Should you have any questions, please don't hesitate to reach out to myself, Lucas Rogers, Alexandra Araujo, or Patrick Alderson.

Sincerely,

Daniel P. McCoy

Daniel P. McCoy
Albany County Executive

NEW YORK STATE OF OPPORTUNITY. | Homes and Community Renewal

KATHY HOCHUL
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

June 25, 2024

Daniel McCoy
County Executive
Albany County
112 State Street, Room 900
Albany, NY 12207-2005

Re: Contract Extension Request - Approved
NYS CDBG Project # 8CVHR33-21

The NYS Office of Community Renewal (OCR) is in receipt of Albany County's letter requesting an extension beyond the project completion deadline of June 28, 2024. The decision to extend the project completion date is based on, but not limited to, several factors such as past performance of the recipient, the nature of the delay, and whether the project can be completed within a reasonable extended timeframe.

Based on OCR's review and careful consideration Albany County's request for an extension has been granted, and your revised project completion date is September 30, 2024, at which time the grant agreement will terminate. The project must be completed, and all costs incurred no later than the completion date of the grant agreement. **Please be advised that any costs incurred after the revised project completion date will be ineligible for NYS CDBG reimbursement. Further requests for extension beyond September 30, 2024 may not be considered.** According to NYS CDBG policies Albany County will have up to 30 days after the revised completion date to submit a final reimbursement request for costs incurred up to the completion date. Following the submission of the final request for funds, all remaining NYS Community Development Block Grant (CDBG) funds for this project will be deobligated and reallocated according to New York State's Action Plan.

We share in your goal of successfully completing the project; therefore, we will work with you to closely monitor the progress and provide you with technical assistance as needed.

Please contact Project Manager Hailey Hamias at Hailey.Hamias@hcr.ny.gov within the next five days to discuss a schedule to complete your project within the revised timeframe and to formally close out your project.

Sincerely,

Charles Philion
Program Director
Office of Community Renewal

cc: Lucas Rogers, Economic Development & Sustainability Coordinator, Albany County
Hailey Hamias, Project Manager, OCR