

DANIEL P. MCCOY  
COUNTY EXECUTIVE



SHAWN A. THELEN  
COMMISSIONER

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

M. DAVID REILLY  
DEPUTY COMMISSIONER

August 31, 2020

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

Dear Chairman Joyce:

Legislative authorization is requested to amend existing Resolution 95-393 on Tax Search fees to exclude Albany County Land Bank acquired properties from this fee. Upon acquisition, Land Bank properties are exempt from taxation by authority of NYS Not-for-Profit Corporation Law, section 1608, amended by Chapter 483 of 2018. The Land Bank is responsible for any fees that arise during its period of ownership. The purchaser is responsible for any and all taxes and fees that arise after acquiring the property.

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

Sincerely Yours,

David Reilly

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



Legislation Text

File #: TMP-1884, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Amendment of Resolution 95-393: Fee for Tax Search

Date: 8/31/2020  
 Submitted By: Sameer Modasra  
 Department: Management and Budget  
 Title: Deputy Commissioner  
 Phone: 518-447-5525  
 Department Rep.  
 Attending Meeting: Dave Reilly

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

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

Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: NYS Not-for-Profit Corporation Law, Section 1608, as amended by  
Chapter 483 of 2018

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

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

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
State: Click or tap here to enter text.  
County: Click or tap here to enter text.  
Local: 100% Revenue

Term

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

Impact on Pending Litigation

If yes, explain: Yes  No   
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

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

**Justification:** (state briefly why legislative action is requested)

Requesting authorization amend existing resolution 393 of 1995 on Tax Search fees to exclude Albany County Land Bank acquired properties from this fee. Due to recent state legislation, upon acquisition, Land Bank properties are exempt from taxation by authority of NYS Not-for-Profit Corporation Law, section 1608, amended by Chapter 483 of 2018. The Land Bank is responsible for any fees that arise during its period of ownership. The purchaser is responsible for any and all taxes and fees that arise after acquiring the property. This amendment will bring County regulation in line with the recent state changes.

**SAMPLE AMENDMENT TO RESOLUTION**

**AUTHORIZING THE ALBANY COUNTY FINANCE DEPARTMENT TO CHARGE A FEE FOR TAX SEARCHES**

Introduced:

By:

WHEREAS, The County of Albany has continually reviewed financial management and pursued ways in which to improve efficiency and cost-effectiveness in government, and

WHEREAS, Through an ongoing self-evaluation of the Albany County government, new cost-effective methods have been developed to ensure that services are being provided to the Citizens of Albany County while also making certain that tax dollars are protected, and

WHEREAS, The mission of the Albany County Finance Department includes providing professional cash management with respect to the financial affairs of the County, and an administrative function of the Finance Department is to perform tax searches, and

WHEREAS, It is a common practice of surrounding counties to charge a fee for performing tax searches, now, therefore be it

WHEREAS, NYS Real Property Tax Law, Article 11, Title 3 extinguishes all delinquent taxes due as a condition of County Ownership and

WHEREAS, Albany County continues to make Towns and Cities whole for unpaid taxes at the end of each warrant period, giving the County sole authority over any unpaid amounts due, and

WHEREAS, the current County Disposition Plan allows for transfer of tax foreclosed parcels to the Albany County Land Bank Corporation, by adopted resolutions, free and clear of taxes and liens, and

WHEREAS, Chapter 483 of 2018 exempts land bank parcels from taxation immediately upon acquisition by the land bank, now, therefore be it

RESOLVED, By the Albany County Legislature that effective January 1, 1996, the Albany County Finance Department is authorized to charge a fee of \$25 per tax search performed, 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,

RESOLVED, that the County's Tax Enforcement Officer is directed to provide certification that tax foreclosed parcels sold by the Albany County Land Bank are free and clear of taxes, liens and other fees, waiving the above referenced \$25.00 per search fee.

# Section 1608

## Acquisition of property Not-for-Profit Corporation (NPC)

(a) 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.

(b) The land bank may acquire real property or interests in real property by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise on terms and conditions and in a manner the land bank considers proper.

(c) The land bank may acquire real property by purchase contracts, lease purchase agreements, installment sales contracts, land contracts, and may accept transfers from municipalities upon such terms and conditions as agreed to by the land bank and the municipality. Notwithstanding any other law to the contrary, any municipality may transfer to the land bank real property and interests in real property of the municipality on such terms and conditions and according to such procedures as determined by the municipality.

(d) The land bank shall maintain all of its real property in accordance with the laws and ordinances of the jurisdiction in which the real property is located.

(e) The land bank shall not own or hold real property located outside the jurisdictional boundaries of the foreclosing governmental unit or units which created the land bank; provided, however, that a land bank may be granted authority pursuant to an intergovernmental cooperation agreement with another municipality to manage and maintain real property located within the jurisdiction of such other municipality.

(f) Notwithstanding any other provision of law to the contrary, any municipality may convey to a land bank real property and interests in real property on such terms and conditions, form and substance of consideration, and procedures, all as determined by the transferring municipality in its discretion. (g) The acquisition of real property by a land bank pursuant to the provisions of this article, from entities other than political subdivisions, shall be limited to real property that is tax delinquent, tax foreclosed, vacant or abandoned; provided, however, that a land bank shall have authority to enter into agreements to purchase other real property consistent with an approved redevelopment plan.

(h) The land bank shall maintain and make available for public review and inspection a complete inventory of all property received by the land bank. Such inventory shall include: the location of the parcel; the purchase price, if any, for each parcel received; the current value assigned to the property for purposes of real property taxation; the amount, if any, owed to the locality for real property taxation; the identity of the transferor; and any conditions or restrictions applicable to the property.

(i) All parcels received by the land bank shall be listed on the received inventory established pursuant to paragraph (h) of this section within one week of acquisition and shall remain in such inventory for one week prior to disposition.



(j) Failure to comply with the requirements in paragraphs (h) and (i) of this section with regard to any particular parcel shall cause such acquisition by the land bank to be null and void.

**RESOLUTION NO. 393**

**AUTHORIZING THE ALBANY COUNTY FINANCE DEPARTMENT  
TO CHARGE A FEE FOR TAX SEARCHES**

Introduced: 12/19/95  
By Ms. Wiley:

WHEREAS, The County of Albany has continually reviewed financial management and pursued ways in which to improve efficiency and cost-effectiveness in government, and

WHEREAS, Through an ongoing self-evaluation of the Albany County government, new cost-effective methods have been developed to ensure that services are being provided to the Citizens of Albany County while also making certain that tax dollars are protected, and

WHEREAS, The mission of the Albany County Finance Department includes providing professional cash management with respect to the financial affairs of the County, and an administrative function of the Finance Department is to perform tax searches, and

WHEREAS, It is a common practice of surrounding counties to charge a fee for performing tax searches, now, therefore be it

RESOLVED, By the Albany County Legislature that effective January 1, 1996, the Albany County Finance Department is authorized to charge a fee of \$25 per tax search performed, 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. 12/19/95*



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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COMMISSIONER

M. DAVID REILLY  
DEPUTY COMMISSIONER

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

Dear Chairman Joyce:

Attached, please find a Request for Legislative Action respectfully requesting that authorization be provided to the County Comptroller to issue Tax Anticipation Notes (TANs) in the amount of \$16.8 million. This funding will assist in the County's cash management ensuring that the necessary cash is on hand to meet operational expenses and will be backed by the remaining 2020 Taxes owed to the County by the City of Albany

The short term borrowing will provide the County with the necessary cash to maintain a positive balance in the General Fund through the fourth quarter of the 2020 and the first quarter of 2021. While we do not yet know the full impact to sales tax receipts for the year it is currently anticipated that the County will have negative cash balances in both quarters of between \$10-15 million before rebounding into positive territory

Two of the County's main sources of revenue have been impacted during the COVID-19 pandemic; sales tax receipts and reimbursements from New York State. While sales tax receipts have started to begin their return to normalcy, we still do not know the final numbers for either the third or fourth quarters of 2020. Additionally, many of the payments from NY State are being partially withheld at this time. What this means is that certain reimbursements are only being paid at 80% of their face value based on authority granted in the State FY 2021 Enacted Budget. If the Federal Government provides funding to the State to offset revenue losses then the County would be eligible to receive all or a portion of these withheld funds.

The Department of Management and Budget will continue to monitor this situation on an ongoing basis. I will be available at the Audit and Finance Committee meeting to provide

additional information and answer any questions for you. If there are questions before that date, please reach out and we can discuss them at a mutually agreeable time.

Thank you,

M. David Reilly  
Deputy Commissioner



Legislation Text

File #: TMP-1852, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Request Authorization for Tax Anticipation Notes

Date: 8/21/2020  
Submitted By: David Reilly  
Department: Management & Budget  
Title: Deputy Commissioner  
Phone: 447-5525  
Department Rep.  
Attending Meeting: Shawn Thelen/David Reilly

**Purpose of Request:**

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

Authorization for the County Comptroller to issue Tax Anticipation

Notes (TANs)

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

Resolution/Law Number: 325 of 2013

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

**Justification:** (state briefly why legislative action is requested)

The Department of Management and Budget requests that the County Legislature provide authorization to the County Comptroller to issue Tax Anticipation Notes (TANs) to ensure that the County has sufficient cash on hand to meet operational expenses. Due to the COVID pandemic and associated economic problems the County Cash flow is less predictable than previous years and has been reduced on several fronts. Issuing these short term debt instruments will allow the County the meet cash flow needs during forecasted shortfalls in the fourth quarter of 2020 as well as the first quarter of 2021.





**CALCULATION OF 2020 TAXES DUE CITY OF ALBANY  
AS OF 9/3/2020**

	<b>COUNTY</b>
2020 County Taxes	17,679,117.59
Utilities and Special Franchise Taxes Paid to the County	(839,376.95)
Supreme Court Order Reductions / Recalculated Taxes	<u>-</u>

<b>Unadjusted amount due Albany County from the City of Albany as of 9/3/2020</b>	<b>16,839,740.64</b>
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	\$ <b>16,839,740.64</b>
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**Unpaid Taxes/Demo/Bids  
Unpaid Water  
Demo/BIDS/ Other**

<b>TOTAL DUE</b>	<b>16,839,740.64</b>
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DANIEL P. MCCOY  
COUNTY EXECUTIVE



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M. DAVID REILLY  
DEPUTY COMMISSIONER

September 8, 2020

Hon. Andrew C. Joyce, Chairman  
Albany County Legislature  
112 State St., Rm. 710  
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is a Request for Legislative Action from the Department of Management and Budget seeking approval/adoption of a Fund Balance Policy. Statement No. 54 from the Governmental Accounting Standards Board (GASB), titled "Fund Balance Reporting and Governmental Fund Type definitions" is intended to provide clear fund balance classifications to enhance the usefulness and accountability of fund balance information.

The Policy attached to this request is based upon the Governmental Accounting Standards Board statement No. 54 as well as other Fund Balance policies from across NY State. These policies are not required by the NY State Comptroller, but are highly recommended. This policy helps to establish parameters by which Albany County can define and account for our fiscal resources.

If you have any additional questions, please contact me at your convenience. I will be at the Committee meetings where this is discussed as well.

Sincerely,

M. David Reilly  
Deputy Commissioner

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



Legislation Text

File #: TMP-1905, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Request to approve a Fund Balance Policy

Date: 09/08/2020  
 Submitted By: David Reilly  
 Department: Management & Budget  
 Title: Deputy Commissioner  
 Phone: 447-5525  
 Department Rep.  
 Attending Meeting: David Reilly

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

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

Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

**County Budget Accounts:**

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

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

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
State: Click or tap here to enter text.  
County: Click or tap here to enter text.  
Local: Click or tap here to enter text.

Term

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

Impact on Pending Litigation

If yes, explain: Yes  No   
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

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

**Justification:** (state briefly why legislative action is requested)

This policy helps to establish parameters by which Albany County can define and account for our fiscal resources, specifically our Fund Balance. It follows the standards laid out by the Governmental Accounting Standards Board and the New York State Comptroller has supported local governments adopting such policies.

## **Purpose**

Albany County proposes to enact the following policy in an effort to ensure financial stability through the maintenance of a reserve fund that guides the use of resources for financial security.

County reserve funds must be properly established and maintained in order to facilitate an open and transparent use of public funds. The primary objective is to maintain a prudent level of financial resources to provide necessary services while minimizing the need to raise taxes and fees due to unanticipated one-time expenditures or temporary revenue shortfalls. Proper management of a healthy fund balance will also ensure that the County is able to maintain the highest possible credit ratings, further improving the County's fiscal situation in both the near and long term.

## **Background**

Statement No. 54 from the Governmental Accounting Standards Board (GASB), titled "Fund Balance Reporting and Governmental Fund Type Definitions" is intended to provide clear fund balance classifications to enhance the usefulness and accountability of fund balance information.

## **Minimum Fund Balance for the General Fund**

- This policy shall apply to the County's General Fund only.
- The Department of Management and Budget will provide guidance to any changes to fund balance.
- The County shall strive to maintain unexpended surplus funds of not less than 10% and not more than 20% of the adopted appropriations in the general fund, excluding interfund transfers.
- These funds will generally come from excess revenues over expenditures.
- It is the intent of the County to limit the use of these fund balances to address unanticipated, non-recurring needs, or unanticipated future obligations. Fund balances should not normally be applied to recurring annual operating expenditures.
- There shall not be a drawdown of more than 10% of the fund balance in any given year outside of a declared State of Emergency.
- In the event that unassigned fund balance exceeds 20% of adopted budget appropriations, the Department of Management and Budget will consider the funding of accrued liabilities, covering one-time expenditures, or the start-up of expenditures for new programs.
- In the event the unassigned fund balance is below the 10% target the Department of Management and Budget will work towards increasing the amount at the earliest appropriate time.

The County will spend the most restricted dollars before less restricted where such spending is appropriate and the legal restriction does not limit the use of such restricted amounts for the purpose in question in the following order:

- Non-spendable (if funds become spendable)
- Restricted
- Committed
- Assigned
- Unassigned

## Definitions

- *Nonspendable* – consists of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.
- *Restricted* – consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.
- *Committed* – consists of amounts that are subject to a purpose constraint imposed by a formal action of the government’s highest level of decision-making authority before the end of the fiscal year, and that require the same level of formal action to remove the constraint.
- *Assigned* – consists of amounts that are subject to a purpose constraint that represents an intended use established by the government’s highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance.
- *Unassigned* – represents the residual classification for the government’s general fund, and could report a surplus or deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

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M. DAVID REILLY  
DEPUTY COMMISSIONER

June 23, 2020

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

Dear Chairman Joyce:

Legislative approval is requested to rescind the authorization to transfer tax foreclosed property located in the Town of Coeymans, 268 Starr Road to the Albany County Land Bank Corporation and convey this property to abutting property owner Mr. Blaine Kropp.

This transfer is in accordance with Resolution No. 29 of 2019 which states "Properties which will be discretionally conveyed by the County to individuals or entities who own abutting or adjacent parcels".

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

Sincerely Yours,

Shawn A. Thelen

cc:

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





# County of Albany

112 State Street  
Albany, NY 12207

## Legislation Text

**File #:** TMP-1739, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

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

.Requesting Legislative Action to rescind the authorization to convey tax foreclosed property located in the Town of Coeymans 268 Starr Road to the Albany County Land Bank Corporation and convey this property to an abutting property owner Mr. Blaine Kropp  
Click or tap here to enter text.

Date:	July 1, 2020
Submitted By:	Shawn Thelan
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7070
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael McLaughlin

**Purpose of Request:**

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

### CONCERNING BUDGET AMENDMENTS

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment

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**File #: TMP-1739, Version: 1**

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- Fringe  
 Personnel  
 Personnel Non-Individual  
 Revenue

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

### **CONCERNING CONTRACT AUTHORIZATIONS**

#### **Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

#### **Contract Terms/Conditions:**

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

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

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

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

### **CONCERNING ALL REQUESTS**

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

**File #: TMP-1739, Version: 1**

Is there a Fiscal Impact: Yes  No   
 Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

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

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
 State: Click or tap here to enter text.  
 County: Click or tap here to enter text.  
 Local: Click or tap here to enter text.

Term

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

Impact on Pending Litigation

If yes, explain: Yes  No   
 Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 189  
 Date of Adoption: 5/11/2020

**Justification:** (state briefly why legislative action is requested)

Requesting Legislative Authority to rescind the authorization to convey tax foreclosed property located in the Town of Coeymans, 268 Starr Road (Tax Map No. 155.-1-57) to the Albany County Land Bank Corporation per ABL Res No.69 of 2020 and convey this property to abutting property owner, Mr. Blaine Kropp, 264 Starr Road, Ravena, NY 12143 for \$5,000.00. This transfer is in accordance with Resolution No. 29 of 2019 which states "Properties which will be discretionally conveyed by the County to individuals or entities who own abutting or adjacent parcels".

Dear, Mr. Michael McLaughlin

June 15, 2020

I am writing you today in reference to the property, 268 Starr Rd Ravena, NY 12143. I live next door, at 264 Starr Rd in Ravena NY and have since Feb 2017. Since the day I moved in, this decrepit, old, condemned property has been one hundred and fifty feet away. Never to be fixed up, repaired or even maintained. Through numerous failed attempts to contact the previous owner and contacting my town tax accessor I have been led to you to help me in my quest. My quest to remove an eyesore of blight and decay and help raise my property value as well as brighten my neighborhood.

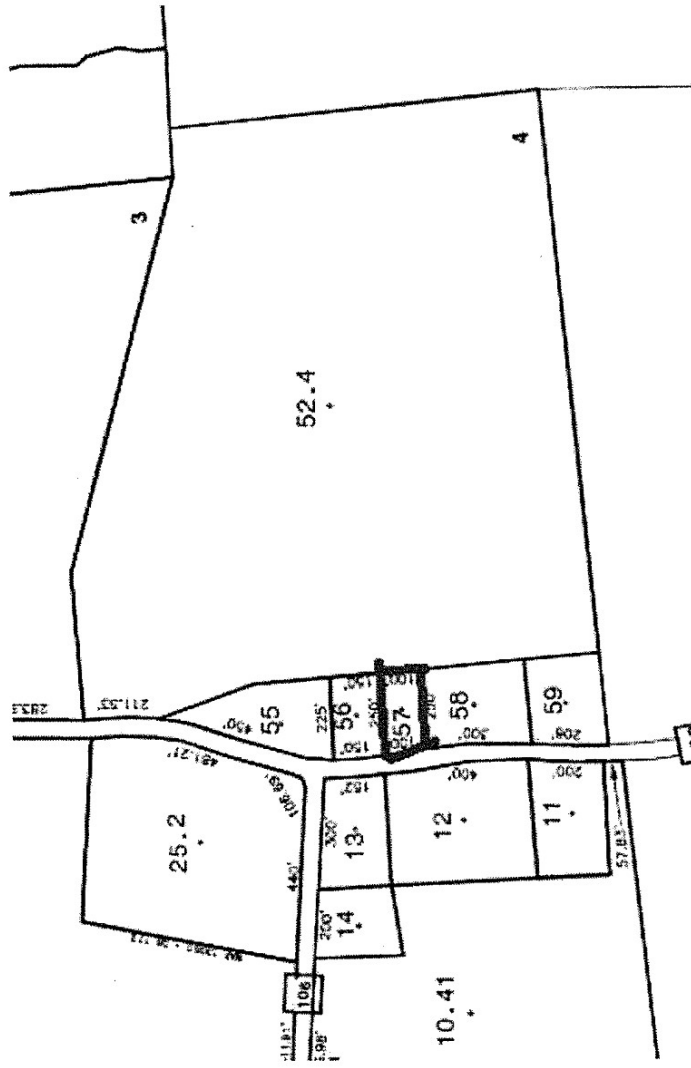
I would like to purchase this property from your office as soon as possible so I may begin the process of removing the existing condemned structure, preparing the parcel for construction and begin the extensive trash removal process (the previous owner left numerous piles of belongings and has since abandoned these piles). I have received a few quotes on these items and I'll be including these costs appropriately into my offer.

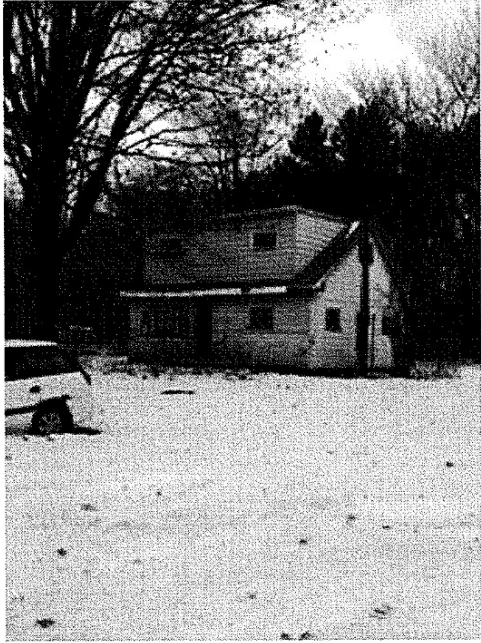
To have the structure legally and properly demolished will be approximately \$40,000. Renting a dumpster for the trash removal process, roughly a 3 day process would come to approximately \$450. The final step would be to put up a 3 bay garage on the now cleared and vacant parcel. This project would be contracted out to a professional general contractor to construct the garage to help ensure everything is up to code, done properly and safely. This would cost approximately \$25,000 - \$30,000. This would bring the grand total to \$72,640, in addition my offer of \$5,000 equals out to \$78,640 in total of planned work to be done.

I hope this letter finds you well, and I look forward to hearing from / speaking to you or your colleagues regarding the matter. Have a great day, stay safe and God Bless!

Blane Kropp

X 





**THIS STRUCTURE IS  
UNSAFE AND ITS  
OCCUPANCY HAS BEEN  
PROHIBITED BY LOCAL  
CODE ENFORCEMENT**

Please contact the Coeymans Building Department with any questions.

518-756-2850



05/13/2020 15:22  
adilella

COUNTY OF ALBANY  
Real Estate Tax Statement

P 1  
txtaxstm

PARCEL: 15500000010570000000

LOCATION: 268 STARR RD

OWNER:  
NEWELL LESLIE  
NEWELL JUDITH E  
183 MAPLE AVE  
SELKIRK NY 12158

STATUS:  
SQUARE FEET 24,829  
LAND VALUATION 98,600  
BUILDING VALUATION 0  
EXEMPTIONS 0  
TAXABLE VALUATION 98,600  
INTEREST PER DIEM 5,604.90

LEGAL DESCRIPTION:

DEED DATE: BOOK/PAGE: INTEREST DATE: 05/13/2020

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2020	RE-4	434				
1	COEYMANS T		3,253.92	3,253.92	130.16	3,384.08
			3,253.92	3,253.92	130.16	3,384.08
2019	RE-4	650				
1	COEYMANS T		3,276.69	3,276.69	524.27	3,800.96
			3,276.69	3,276.69	524.27	3,800.96
2018	RE-4	1853				
1	COEYMANS T		2,528.64	2,528.64	708.02	3,236.66
	LEGAL CHAR		225.00	225.00	.00	225.00
			2,753.64	2,753.64	708.02	3,461.66
			2,753.64	2,753.64	708.02	3,461.66
2017	LIEN	211				
1	COEYMAN TL		2,434.36	2,434.36	973.74	3,408.10
	LEGAL CHAR		225.00	225.00	.00	225.00
			2,659.36	2,659.36	973.74	3,633.10
			2,659.36	2,659.36	973.74	3,633.10
2016	LIEN	187				
1	COEYMAN TL		1,627.48	1,627.48	846.29	2,473.77
	LEGAL CHAR		150.00	150.00	.00	150.00
			1,777.48	1,777.48	846.29	2,623.77



05/13/2020 15:22  
adilella

COUNTY OF ALBANY  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
			1,777.48	1,777.48	846.29	2,623.77
2015	LIEN	126				
1	COEYMAN TL		1,617.12	1,617.12	1,034.96	2,652.08
	LEGAL CHAR		150.00	150.00	.00	150.00
			1,767.12	1,767.12	1,034.96	2,802.08
			1,767.12	1,767.12	1,034.96	2,802.08
2014	LIEN	65				
1	COEYMAN TL		1,610.48	1,610.48	1,223.96	2,834.44
	LEGAL CHAR		150.00	150.00	.00	150.00
	TITLE SEAR		290.00	290.00	.00	290.00
	MAIL CHARG		35.00	35.00	.00	35.00
			2,085.48	2,085.48	1,223.96	3,309.44
			2,085.48	2,085.48	1,223.96	3,309.44
GRAND TOTALS			17,573.69	17,573.69	5,441.40	23,015.09

**RESOLUTION NO. 272**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 69 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 268 STARR ROAD (TAX MAP NO. 155.-1-57) IN THE TOWN OF COEYMANS**

Introduced: 8/10/20  
By Audit and Finance Committee:

WHEREAS, By Resolution No. 69 for 2020, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure to the Albany County Land Bank Corporation, including 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans, and

WHEREAS, Blaine Kropp, an abutting property owner has expressed an interest in acquiring this parcel for \$5,000, and

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

RESOLVED, By the Albany County Legislature, that Resolution No. 69 for 2020 is hereby amended by rescinding the authorization to convey 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans to Blaine Kropp for the amount of \$5,000, and, be it further

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

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

*Adopted by unanimous vote – 8/10/20*

DANIEL P. MCCOY  
COUNTY EXECUTIVE



SHAWN A. THELEN  
COMMISSIONER

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

M. DAVID REILLY  
DEPUTY COMMISSIONER

September 21, 2020

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

Dear Chairman Joyce:

Legislative approval is requested to amend ABL Resolution No. 324 of 2020.

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

Sincerely Yours,

Shawn A. Thelen

cc:

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



Legislation Text

File #: TMP-1918, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Requesting Legislative Action to amend ABL Resolution No. 324 of 2020

Legislative action is requested to add omitted language to Resolution No. 324 of 2020

Date:	September 21, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commisioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly, Michael Mc Laughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment

- Fringe
- Personnel
- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No

Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

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

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

**Justification:** (state briefly why legislative action is requested)

An amendment of ABL Resolution No.324 of 2020 is necessary as language for this sale was omitted pertaining to relinquishing the responsibility of Albany County to incur yearly amounts of unpaid taxes on this property and shift any yearly taxes to the approved purchaser.

The following which was part of the Request for Legislative Action submitted for the September 10, 2020 legislative meeting included as per TMP 1813 is requested to be part of this sale:

“The following shall be the responsibility of Mr. John A Wright III:

All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021”.

**RESOLUTION NO. 324**

**AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 4 LINE ROAD (TAX MAP NO. 78.-1-17) IN THE TOWN OF KNOX**

Introduced: 9/14/20

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn from pending in rem foreclosure proceedings a parcel of real property located at 4 Line Road (Tax Map No. 78.-1-17) in the Town of Knox, and has offered the property for bid through the sealed bid process, and

WHEREAS, The Commissioner of the Department of Management and Budget indicated the sealed bid was open for bid submissions from June 15, 2020 through July 15, 2020, and one bid was received, and

WHEREAS John A. Wright, III, was the sole bidder on the parcel and has offered \$4,102 in order to acquire the property, and

WHEREAS, Resolution No. 29 for 2019, the Albany County Real Property Disposition Plan, authorizes the conditional use of a sealed bid process in regards to parcels of real property that have been withdrawn from pending in rem foreclosure proceedings, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey property located at 4 Line Road (Tax Map No. 78.-1-17) in the Town of Knox for \$4,102 to John A. Wright, III, 11 Stevens Road, Berne, NY 12043 and, be it further

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

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

The following shall be the responsibility of John A Wright III:

Any and all closing costs. All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021.



DANIEL P. MCCOY  
COUNTY EXECUTIVE



SHAWN A. THELEN  
COMMISSIONER

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

M. DAVID REILLY  
DEPUTY COMMISSIONER

September 21, 2020

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

Dear Chairman Joyce:

Legislative approval is requested to amend ABL Resolution No. 325 of 2020 to correct a transcription error and include an additional resolved clause.

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

Sincerely Yours,

Shawn A. Thelen

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



Legislation Text

File #: TMP-1919, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Requesting Legislative Action to amend ABL Resolution No. 325 of 2020

Legislative action is requested to correct a transcription error for deed purposes and to add omitted language to Resolution No. 325 of 2020...body

Date:	September 21, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commisioner
Phone:	518-447-7070
Department Rep.	Anthony Di Lella
Attending Meeting:	David Reilly/Michael Mc Laughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment

- Fringe
- Personnel
- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No

Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

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

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

**Justification:** (state briefly why legislative action is requested)

Amendments to ABL Resolution No.325 of 2020 are necessary due to a transcription error made regarding the purchaser's name for deed purposes, also language for this sale was omitted from this resolution pertaining to relinquishing the responsibility of Albany County to incur yearly amounts of unpaid taxes on this property and shift any yearly taxes to the approved purchaser.

For deed purposes the following is requested to be amended:

Any mention of "Chei-Car Realty LLC" in ABL Resolution No.325 of 2020 should be replaced with "Chel-Car Realty LLC".

The following language which was part of the Request for Legislative Action submitted for the September 10, 2020 legislative meeting included as per TMP 1814, is requested to be part of this sale:

"The following shall be the responsibility of Chel-Car Realty LLC":

All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021".



**RESOLUTION NO. 325**

**AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT  
2607 2ND AVENUE (TAX MAP NO. 32.8-3-9.1) IN THE TOWN OF COLONIE**

Introduced: 9/14/20

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn from pending tax foreclosure proceedings a parcel of real property located at 2607 2nd Avenue (Tax Map No. 32.8-3-9.1) in the Town of Colonie, and has offered the property for bid through the sealed bid process, and

WHEREAS, The Commissioner of the Department of Management and Budget indicated the sealed bid was open for bid submissions from June 15, 2020 through July 15, 2020, and one bid was received, and

WHEREAS Chei-Car Realty LLC, was the sole bidder on the parcel and offered \$1,844 in order to acquire the property, and

WHEREAS, Resolution No. 29 for 2019, the Albany County Real Property Disposition Plan, authorizes the conditional use of a sealed bid process in regards to parcels of real property that have been withdrawn from pending in rem foreclosure proceedings, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey property located at 2607 2nd Avenue (Tax Map No. 32.8-3-9.1) in the Town of Colonie to Chei-Car Realty LLC, 888 Troy Schenectady Road, Latham, NY 12110 for \$1,844 and, be it further

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

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

## BIDDER INFORMATION - CONTACT AND DEED INFORMATION

\*Bidder Name: Chel-Car Realty LLC

\*As it will appear on County deed

Address: 888 Troy-Schenectady Rd Latham N.Y. 12110

Phone: 518-857-8560

Email: paul.roberts1644@gmail.com

Preferred method of contact:  Phone  Email

### TYPE OF ENTITY

Individual

Corporation

Incorporated in what state: \_\_\_\_\_ Date incorporated: \_\_\_\_\_

Authorized to do business in New York State?  Yes  No

Partnership

Indicate type of partnership: \_\_\_\_\_

Number of general partners: \_\_\_\_\_ Number of limited partners: \_\_\_\_\_

Not-for-profit

Incorporated in what state: \_\_\_\_\_ Date incorporated: \_\_\_\_\_

Limited Liability Company

Formed in what state: New York Date incorporated: 10/24/2006

Authorized to do business in New York State?  Yes  No

Sole Proprietorship

Name of Sole Proprietor: \_\_\_\_\_

The following shall be the responsibility of Chei-Car Realty LLC :

Any and all closing costs All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021.



DANIEL P. MCCOY  
COUNTY EXECUTIVE



SHAWN A. THELEN  
COMMISSIONER

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

M. DAVID REILLY  
DEPUTY COMMISSIONER

September 21, 2020

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

Dear Chairman Joyce:

Legislative approval is requested to amend ABL Resolution No. 326 of 2020.

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

Sincerely Yours,

Shawn A. Thelen

cc:

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



Legislation Text

File #: TMP-1920, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Requesting Legislative Action to amend ABL Resolution No. 326 of 2020

Legislative action is requested to add omitted language to Resolution No 326 of 2020

Date:	September 21, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commisioner
Phone:	518-447-7040
Department Rep.	Anthony Di Lella
Attending Meeting:	David Reilly/Michael Mc Laughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe

- Personnel
- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No

Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation Yes  No

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

Previous requests for Identical or Similar Action:

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

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

**Justification:** (state briefly why legislative action is requested)

An amendment of ABL Resolution No.324 of 2020 is necessary as language for this sale was omitted pertaining to relinquishing the responsibility of Albany County to incur yearly amounts of unpaid taxes on this property and shift any yearly taxes to the approved purchaser.

The following which was part of the Request for Legislative Action submitted for the September 10, 2020 legislative meeting included as per TMP 1815 is requested to be part of this sale:

“The following shall be the responsibility of Tracy L Gibeau and Marc W Gibeau:

All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021”.

**RESOLUTION NO. 326**

**AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 3068 NEW SCOTLAND ROAD (TAX MAP NO. 93.-2-31) IN THE TOWN OF NEW SCOTLAND**

Introduced: 9/14/20

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn from pending tax foreclosure proceedings a parcel of real property located at 3068 New Scotland Road (Tax Map No. 93.-2-31) in the Town of New Scotland, and has offered the property for bid through the sealed bid process, and

WHEREAS, The Commissioner of the Department of Management and Budget indicated the sealed bid was open for bid submissions from June 15, 2020 through July 15, 2020, and two bids were received, and

WHEREAS, Tracy L. Gibeau and Marc W. Gibeau, provided the selected bid as they provided a detailed description of how their ownership would facilitate the remediation of the property and how it would benefit the community, and offered \$18,000 to acquire the parcel, and

WHEREAS, Resolution No. 29 for 2019, the Albany County Real Property Disposition Plan, authorizes the conditional use of a sealed bid process in regards to parcels of real property that have been withdrawn from pending in rem foreclosure proceedings, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey property located at 3068 New Scotland Road (Tax Map No. 93.-2-31) in the Town of New Scotland to Tracy L. Gibeau and Marc W. Gibeau, 365 Stove Top Road, Voorheesville, NY 12186 for \$18,000 and, be it further

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

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

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**File #:** TMP-1815, **Version:** 1

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The following shall be the responsibility of Tracy I Gibeau and Marc W Gibeau:

Any and all closing costs. All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021.

DANIEL P. MCCOY  
COUNTY EXECUTIVE



SHAWN A. THELEN  
COMMISSIONER

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

M. DAVID REILLY  
DEPUTY COMMISSIONER

September 21, 2020

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

Dear Chairman Joyce:

Legislative approval is requested to amend ABL Resolution No. 327 of 2020.

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

Sincerely Yours,

Shawn A. Thelen

cc:

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



Legislation Text

File #: TMP-1921, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Requesting Legislative Action to amend ABL Resolution No. 327 of 2020

Legislative action is requested to add omitted language to Resolution No. 327 of 2020

Date:	September 21, 2020
Submitted By:	Shawn Thelen
Department:	Management and Budget
Title:	Commisioner
Phone:	518-447-7040
Department Rep.	Anthony Di Lella
Attending Meeting:	David Reilly/Michael Mc Laughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe



- Personnel
- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No

Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation Yes  No

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

Previous requests for Identical or Similar Action:

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

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

**Justification:** (state briefly why legislative action is requested)

An amendment of ABL Resolution No.327 of 2020 is necessary as language for this sale was omitted pertaining to relinquishing the responsibility of Albany County to incur yearly amounts of unpaid taxes on this property and shift any yearly taxes to the approved purchaser.

The following which was part of the Request for Legislative Action submitted for the September 10, 2020 legislative meeting included as per TMP 1816 is requested to be part of this sale:

“The following shall be the responsibility of Mr. James Porcaro:

All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021”.

**RESOLUTION NO. 327**

**RESCINDING RESOLUTION NO. 552 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 95 MORRIS ROAD (TAX MAP NO. 16.4-4-4.2) IN THE TOWN OF COLONIE**

Introduced: 9/14/20

By Audit and Finance Committee:

WHEREAS, By Resolution No. 552 for 2019, this Honorable Body authorized the conveyance of a parcel of real property withdrawn for a filed in rem foreclosure proceeding located at 95 Morris Road (Tax Map No. 16.4-4-4.2) in the Town of Colonie, and

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the County has been unable to close on the conveyance of said parcel, and

WHEREAS, Resolution No. 29 for 2019, the Albany County Real Property Disposition Plan, authorizes the conditional use of a sealed bid process in regards to parcels of real property that have been withdrawn from pending in rem foreclosure proceedings, and

WHEREAS, The Commissioner indicated the sealed bid was open for bid submissions from June 15, 2020 through July 15, 2020, and one bid was received, and

WHEREAS, James Porcaro was the sole bidder on the parcel and has offered \$6,000 in order to acquire the property, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 522 for 2019 is hereby rescinded, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 95 Morris Road (Tax Map No. 16.4-4-4.2) in the Town of Colonie to James Porcaro, 872 Watervliet Shaker Road, Latham NY, 12210 for the amount of \$6,000, and, be it further

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

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

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

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

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
State: Click or tap here to enter text.  
County: Click or tap here to enter text.  
Local: Click or tap here to enter text.

Term

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

Impact on Pending Litigation

If yes, explain: Yes  No   
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 551  
Date of Adoption: 12/5/2019

**Justification:** (state briefly why legislative action is requested)

Properties are withdrawn from tax foreclosure as there exists a significant risk that the County of Albany might be exposed to a liability substantially in excess of the amount that could be recovered by foreclosing the tax lien.

Pursuant to ABL resolution No 29 of 2019 the Albany County Disposition Plan, properties “withdrawn” from a foreclosure proceeding can be offered for sale through a sealed bid process with the sale price criteria being “an amount which reflects the benefit to the community stemming from the proposed use of the property”. In this regard the Department of Management and Budget through the county website offered properties online through a sealed bid process which was conducted from June 15th until July 15, 2020. This process was governed by the “Terms and Conditions” as written by the Albany County Department of Law.

Legislative action is requested in two parts, to rescind the authorization to convey 95 Morris Rd located in Town of Colonie Tax Map no. 16.04-4-4.2 to Marc Awad per ALB Resolution #552 of 2019 and convey this property to Mr. James Porcaro, 872 Watervliet Shaker Road, Latham NY, 12210 for \$6,000. Mr. Porcaro was the sole bidder on this property and his submission indicates a detailed plan to rehabilitate this multi year tax delinquent property which intern will benefit the community.

Mr. Porcaro has deposited the full amount of the bid offered \$6,000 by certified funds with the Albany County Division of Finance.

The following shall be the responsibility of Mr. James Porcaro:

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**File #:** TMP-1816, **Version:** 1

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Any and all closing costs. All prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing. Real estate taxes (Property, School Taxes) billed on and after January 1, 2021.