

County of Albany

112 State Street
Albany, NY 12207



Meeting Agenda

2021 BUDGET SESSION 5

Monday, October 26, 2020

5:30 PM

Held Remotely

Audit and Finance Committee

2021 BUDGET SESSION 5

LEGAL AGENCIES & REVENUE

1. MANAGEMENT & BUDGET, FINANCE, REAL PROPERTY & ASSIGNED COUNSEL PROGRAM
2. PROBATION
3. PUBLIC DEFENDER
4. ALT. PUBLIC DEFENDER
5. COUNTY ATTORNEY
6. IMMIGRATION
7. BOARD OF ELECTIONS

**MANAGEMENT & BUDGET,
FINANCE, REAL PROPERTY
& ASSIGNED COUNSEL
PROGRAM**



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
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SHAWN A. THELEN
COMMISSIONER

DAVID REILLY
DEPUTY COMMISSIONER

1. Identify department representative appearing before the Audit & Finance Committee for your agency budget presentation.

Shawn Thelen & David Reilly

2. Identify by line item all vacant positions in your department.

None

3. Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.

None

4. Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justification for those raise(s).

Non-union 2% raises were allocated to all 4 positions in the department.

5. Identify by line item any position proposed to be eliminated or salary decreased (please indicate whether the eliminated item or salary decrease is related to the County Buyout Program of 2020 with C.B.O. designated next to the listed item).

None

6. Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2021 (please indicate any potential funding reductions for NYS revenue sources).

There are no positions in DMB funded by grant money.

7. Identify by line item all job titles proposed to be changed or moved to another line item (e.g., reclassifications).

None

8. Provide a breakdown of specific expenditures regarding fees for services lines and contractual expense lines and indicate 2020 expenditures compared to 2021 proposed expenditures.

Primarily this line is used to pay for fees related to investments and other professional services. During the County's initial COVID-19 response, a portion of the money was used to help support County workers in various departments. In 2020, DMB spent approximately \$20,000 for Aramark services and \$8,000 for IT supplies; both expenditures were related to COVID-19. Another \$3,200 was used to cover investment fees. In 2021, our fees for services line remains flat.

9. Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.

DMB has no programs that fit under this designation.

10. Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.

None

11. Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.

None

12. Identify by line item any positions that were established/changed during the 2020 fiscal year.

None

13. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2021) to better understand that risk and mitigate it.

This is not a departmental specific risk but recession is always a risk for the county as a whole. An economic downturn, such as seen with COVID-19, negatively impacts our sales tax receipts. Given that 40% of the County's revenue comes from sales tax, DMB is looking for new creative ways to mitigate the effects of the economic downturn.

14. Please list performance indicators and metrics used by your department and current statistics for those metrics.

Outside of traditional metrics and standards, this year will be measured by how good our budget is and how well we work with other elected officials to help guide the County through our current economic crisis. This year validates the years of responsible fiscal management which allowed us to build up our reserves.

15. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source (e.g., indicate any potential funding reductions for NYS revenue sources).

A big risk is from the Raise the Age mandate. This mandate is directly tied to the tax cap. All incremental costs associated with Raise the Age are reimbursable as long as the "Tax Cap" is not overridden. While it does not preclude the acceptance of these incremental cost for reimbursement, New York State Office of Management and Budget must give a waiver for these costs to be recognized for reimbursement.



DANIEL P. McCOY
COUNTY EXECUTIVE

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SHAWN A. THELEN
COMMISSIONER

JEFFREY NEAL
DIRECTOR OF FINANCE

To: Hon. Wanda Willingham. Chair
From: Jeff Neal, Deputy Commissioner/Director of Finance
Re: Proposed 2021 Budget; A&F October Request
Date: October 13, 2020

The following is provided in response to the Audit and Finance Committee's October 6, 2020 request for information on the Division of Finance section of the DMB Departmental submission.

1. Identify Department Head Representative

David Reilly and Shawn Thelen

2. Identify by line item all vacant positions in your department

One (1) Finance Clerk 2 line is vacant (180044). One (1) Account Clerk 2 line is vacant (180070) due to Provisional Appointment to the Financial Operations Manager line (L. Williams retired in July 2020).

3. Identify by line item any new positions in your department

There are no new positions projected for the Division of Finance in FY2021.

4. Identify by line item any salary increase and the justification for those raises.

Nonunion employees are programmed for a 2% increase as proposed by the County.

5. Identify by line item any position proposed to be eliminated or salary decreased.

No decrease in the number of existing lines is proposed for 2021. No line has been reduced below the FY2020 adopted amount. No employee of the Division of Finance participated in the County Buyout Program of 2020.

6. Identify by line item any position funded by grant money

There are no positions in the Division of Finance funded by grant money.

7. Identify by line item all job titles to be changed or moved to another line item

The review of vacancies process in Finance has focused on mapping over the in-title work provisions in Civil Service law. The Property Manager titles will map over to Foreclosure Clerk titles. The Account Clerk 2 line will map over to Finance Clerk 3. The remaining Civil Service titles are in line with assigned workflow.

The creation of an in-house abstracting process may require restructure of titles in FY2021. That move to in-house workflow is projected to reduce the Fees for Service line by \$250K.

8. Breakdown of specific expenditures regarding fees for service lines, 2021 proposed expenditures

Finance’s A91310 44046 10000 line was primarily used to pay for the required “in rem” title search documents per contract authorized by the County Legislature. In a cost saving move, the County has hired staffing to bring the title-abstracting portion of that workflow in-house. That action will reduce the number of required level 2 title searches in comparison to prior years.

The move resulted in a \$250K reduction in the FY2021 request related to the Fees for Service line. Staffing will need to be restructure and clerks added in FY2021-FY2022 to provide continuity for this in-house program. Securing the 30+ year abstractor and clerical staff to be trained by him is a primary goal.

The remainder of that line is expended on legally prescribed restrictions related to state and federal laws. Use of PACER for bankruptcy searches, ERS/EDR for environmental record searches, and mailing and enforcement services via NCOA/MOVE UPDATE, and ACCURINT are paid from this line.

9. Identify any new initiatives and/or eliminated programs

Finance has no programs that fit under this designation.

10. Identify County Vehicles

Foreclosure Inspectors have use of an assigned vehicle for the on-site inspection of properties in pre-foreclosure status. NYS RPTL requires posting, County procedures require reporting on conditions and potential liability issues if the County were to take title.

10. Conferences/Training/Tuition

This line has been used to keep Finance and Law staff up to date on changes to NYS RPTL that relate to environmental liability, blight and decay avoidance materials. Inspection training for new-hires has been paid from this line to ensure compliance with cost-avoidance initiatives.

11. Overtime Lines

Finance utilizes OT and TEMP lines to cover duties related to tax enforcement and foreclosure duties required under NYS RPTL Article 11, Title 3. Those expenditures result in collected revenue that exceeds those expenditures.

Overtime pay consists of \$10,322.88 expended YTD in October 2020, an increase of \$789 from the prior year at this time. The Temporary Help line has expended \$22,328.86 in YTD in October 2020, a decrease of \$24,735 from the prior year at this time.

Transitions for planned retirements are now complete in Enforcement and Treasury management. Both OT and TEMP lines are reduced to anticipated need for FY2021, given current staffing and retirement horizons.

12. New Positions in 2019-2020

No new positions have been added to the Division of Finance.

13. Significant Risk Factors

The Division of Finance remains risk-adverse. As noted in the post-2001 and post-2008 recessionary periods, the greatest risk to Treasury remains beyond the control of the County. Adequate reserves and daily monitoring of the County’s cash accounts remains the most effective means for monitoring potential risk from reduced revenues.

DMB has worked closely with the newly elected Comptroller to ensure that investment income is maximized. Res. 372 of 2020 authorized Tax and Revenue Anticipation Notes to replicate the cash management process utilized in FY2009-FY2011.

14. Metrics and performance indicators

The revenue lines in A1310 generally provide metrics and performance indicators for the Division of Finance.

Treasury performance is measurable by the 2401 line that records interest earned on accounts under DMB departmental management. Quarterly reporting is required for disbursement of Sales Tax, Occupancy Tax, Mortgage Tax distributions. Projections for potential cash flow needs are maintained by Treasury staff and updated weekly.

Collections performance is a function of formalized mailing schedules and taxpayer notices. Quarterly reporting on Installment Plans tracks the structured monthly payments avoiding tax foreclosure (LL2 of 2007). Revenue in the 1090 and 1092 lines reflects statutory interest earned on the actual payments received. Certified Tax Searches (Res 95-393) post to 01231, a process that requires individual review of tax records for any given parcel per that County policy.

Enforcement actions have been significantly impact by the COVID-19 workplace restrictions. That procedure is prescribed in NYS RPTL Article 11, Title 3 and must adhere to the legal requirements. Reductions in the number of delinquent parcels +3 years is the measureable goal here. With abstractor(s) on-staff, the Lien-to-Value letters have been added to FY2020 mail cycles, further reducing delinquencies via payment in full. Of the approximately 110K taxable parcels mailed bills yearly, approximately 6,000 bills are unpaid at the end of the local warrants. About 4,000 remain unpaid when the List of Delinquent Taxes is filed at +1 year. After Enforcement actions, the County forecloses on less than 500 tax mapped parcels.

The data tracked by Finance in the daily operations of Treasury, Collections and Enforcement support any programmatic or performance metrics in use by the County on an as-requested basis. The current Director of Finance/Deputy Commissioner has been with the County 19+ years and remains focused on sustainable results-oriented outcomes.

15. Mandates and Revenue Risks, NYS

There are no unfunded mandates in the A1310 lines. Mortgage Tax (01189) remains positive as mortgage interest rates remain low and spur refinancing. NYS Casino Revenue (03016) and Medical Marijuana Aid (03392) post to A1310 and are likely to be impacted by economic recovery in early FY2021.



DANIEL P. McCOY
County Executive

Maggie A. Alix
Director

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October 11, 2020

Albany County Legislature
Hon. Wanda F. Willingham, Chair
Audit and Finance Committee
112 State Street, Room 710
Albany, NY 12207

Ms. Willingham:

On behalf of the Real Property Tax Service Agency provided is the requested information to analyze the 2021 Executive Budget.

1. Identify department representative appearing before the Audit & Finance Committee for your agency budget presentation. **David Reilly**, Management and Budget.
2. Identify by line item all vacant positions in your department.
A1355 13703 001 220002
3. Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable. **There are no new positions.**
4. Identify by line item any proposed salary increase(s) beyond the 2% County increase, and the justification for those raise(s). There are no proposed salary increases.
5. Identify by line item any position proposed to be eliminated or salary decreased.
A1355 13703 001 220002 - the position is currently vacant; however the position must not be eliminated from the 2021 budget. The goal is to fill the position so the department can provide the best service to inter-county departments, cities, towns, villages, school districts and the property owners in Albany County.

6. Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2019. **There are no positions funded by grant money within the department.**
7. Identify by line item all job titles proposed to be changed or moved to another line item. **There will be no proposed changes to job titles nor will titles be moved to another line item.**
8. Provide a breakdown of specific expenditures regarding fees for services lines and miscellaneous contractual expense lines and indicate 2020 expenditures compared to 2021 proposed expenditures. **There are no changes between the 2020 expenditures and the proposed expenditures for 2021.**
9. Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs. **There are no new initiatives and/or eliminated programs.**
10. Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee. **The department may utilize a Department of Finance vehicle if needed; otherwise, the department does not use vehicles.**
11. Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years. **There is no overtime line in the department's budget.**
12. Identify by line any positions that were established/changed during the 2020 fiscal year. **No position were established and or changed during the 2020 fiscal year.**
13. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2021) to better understand that risk and mitigate it. **The biggest risk for the department is the current vacancy. The department is very small yet the responsibility of over 112,000 parcels is vast. Filling the vacancy would increase productivity and efficiency in supporting the local assessment community.**
14. Please list performance indicators and metrics used by your department and current statistics for those metrics. **Employee performance evaluations are conducted as needed. The Department will set clear goals for 2021 and will manage objectives to measure performance.**
15. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risk to reimbursement revenues, from any source. **There are no new unfunded mandates, regulations or risks to grant revenues within the Department. NYS does reimburse the County for continuing education credit and there has been no indication of any risk for 2021.**

Respectfully Submitted,



Maggie A. Alix, Director
Real Property Tax Service Agency

CC: Andrew Joyce, Chairman
Dennis Feeny, Majority Leader
Frank Mauriello, Minority Leader



DANIEL P. MCCOY
COUNTY EXECUTIVE

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HON. LARRY J. ROSEN
ASSIGNED COUNSEL PROGRAM ADMINISTRATOR

THOMAS C. DEBOSE III
SUPERVISING ATTORNEY

TO: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

FROM: Thomas C. DeBose III
Supervising Attorney, Albany County Assigned Counsel Program

DATE: October 14, 2020

RE: Response to Legislative 2021 Proposed Budget Questionnaire

Dear Chairperson Willingham:

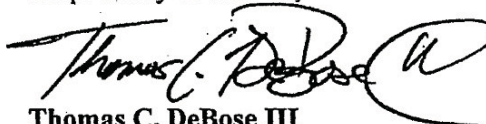
In response to your inquiry dated October 6, 2020, the Albany County Assigned Counsel Program submits the following responses:

1. N/A
2. There are not any positions currently vacant in the Assigned Counsel Program.
3. There are no new positions to be provided for in the new budget.
4. There are three positions in which the Assigned Counsel Program is requesting salary increases:
 - A 1172 12002 001 1460001---Supervising Attorney. The Department requests a 2% salary increase for this position. Such an increase is a cost of living adjustment.
 - A 1172 15031 001 146004—Data Officer. The Department requests a 2% salary increase for this position. Such an increase reflects a cost of living adjustment.
 - A 1172 16404 146002—Secretary II. The Department Requests a 2% increase for this position. Such an increase reflects a cost of living adjustment.
 - All increases are pursuant to State Funding.
5. No positions are proposed to be eliminated or salaries decreased in the Assigned Counsel Program's 2021 Budget.
6. With the exception of the Assigned Counsel Administrator position (A 1172 15031 001 146003 --100% County funded), every position within the Assigned Counsel Program is 100% state funded. I have no indication that any of the Hurrell-Harring Statewide Expansion grant funding, which has three (3) years remaining of a five (5) year initial commitment, will be cancelled. The funds necessary for this grant have been "set aside" in a special state fund.
7. There are no reclassifications for individuals in the Assigned Counsel Program.

8. In 2020, the Assigned Counsel Program budgeted \$50,000 for Fees for Services. This budget line reflected the anticipated increases in expenses related the Assigned Counsel Program's responsibilities to the panel attorneys. In 2021, the Assigned Counsel Program will raise the Fees for Services line to \$90,000. This raise anticipates that investigative services requested by panel attorneys will be primarily drawn from this line. In 2021, this line is will primarily be used for investigative services. It may be used for other services such as transcripts and experts as well. This line is 100% funded through the ILS grant.
9. Aside from a concentrated effort to expand the investigative services rendered to our panel attorneys in compliance with the New York State Office of Indigent Legal Services' guidelines, a program to increase panel attorneys' interaction with each other by having ACP host workshops (see A 1172 44049—Special Programs) no other new programs are anticipated in 2021. These new services will be 100% funded through the ILS grant.
10. The Assigned Counsel Program utilizes no County vehicles.
11. Currently, there are no overtime costs for the Assigned Counsel Program.
12. None.
13. The biggest "risk" the Assigned Counsel Program faces is the uncertainty of the extent and pace of the reopening of the courts, and the possible hazards presented by the COVID-19 pandemic. The Assigned Counsel Program is making every effort to ensure that all staff are able to accomplish their tasks remotely if necessary.
14. The development of standards and metrics to evaluate the performance of the Assigned Counsel Program is a difficult task. Many of its responsibilities remain out of its control (the courts assign panel attorneys, and it is the Assigned Counsel Program's responsibility to ensure that those panel attorneys receive payment and are provided with support). Certainly, objective standards such as time and attendance are valuable, as well as determining how many claims are processed and how quickly. This next year (Assigned Counsel's first as a fully operational department) will help set those standards.
15. The biggest challenge presented in 2021 remains the fallout from the global COVID-19 pandemic. The State of New York and the County of Albany face significant financial pressures that can and will shape how the Assigned Counsel Program develops next year. However, there is reason to believe that Assigned Counsel's fiscal position is in a more stable position than its peers, in light of the fact that the New York State Office of Indigent Legal Services has set aside funding for the County for legal representation of indigent defendants. This money is already set aside by the State.

If you require any addition information regarding the Assigned Counsel Program, please feel free to contact me.

Respectfully Submitted,



Thomas C. DeBose III
Supervising Attorney
Assigned Counsel Program

CC: Hon. Andrew Joyce, Chairman
 Albany County Legislature

Hon. Dennis A. Feeney, Majority Leader
 Albany County Legislature

Hon. Frank A. Mauriello, Minority Leader
 Albany County Legislature

PROBATION



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WILLIAM CONNORS
DIRECTOR III

LORI M. HAGGERTY
PRINCIPAL PROBATION OFFICER

TO: Hon. Wanda F. Willingham, Chair – Audit and Finance Committee

FROM: William Connors, Probation Director

DATE: October 14, 2020

SUBJECT: Albany County Probation Proposed 2021 Budget

1. William Connors – Probation Director III

2. Vacant Positions:

A3140.1.1301.001 – 380003 – Principal Probation Officer – Effective 10/16/2020
A3140.1.4203.009 – 380158 – Probation Supervisor
A3140.1.4213.002 – 380017 – Senior Probation Officer
A3140.1.4223.004 – 380027 – Probation Officer
A3140.1.4223.011 – 380034 – Probation Officer
A3140.1.4223.029 – 380052 – Probation Officer
A3140.1.4223.037 – 380060 – Probation Officer
A3140.1.4223.056 – 380127 – Probation Officer
A3140.1.4223.058 – 380129 – Probation Officer
A3140.1.4223.062 – 380134 – Probation Officer
A3140.1.4223.064 – 380153 – Probation Officer
A3140.1.5311.004 – 380086 – Probation Assistant
A3140.1.6043.004 – 380145 – Keyboard Specialist

A3140.1.2414R.001 – 380184 – Probation Assistant RTA
A3140.1.4203R.002 – 380172 – Probation Supervisor RTA
A3140.1.4424R.004 – 380178 – Probation Officer Trainee RTA
A3140.1.4424R.005 – 380179 – Probation Officer Trainee RTA
A3140.1.4424R.006 – 380180 – Probation Officer Trainee RTA
A3140.1.4424R.007 – 380181 – Probation Officer Trainee RTA
A3140.1.4424R.008 – 380182 – Probation Officer Trainee RTA
A3140.1.4424R.009 – 380183 – Probation Officer Trainee RTA

3. New Positions / How Funded:

None

4. Proposed Salary Increase beyond Union Contract Commitments:

Nonunion employees are programmed for a 2% increase as proposed by the County.

5. Positions Eliminated or Decreased:

A3140.1.4223.029 – 380052 – Probation Officer – C.B.O. – County Buyout Program

A3140.1.4223.037 – 380060 – Probation Officer – C.B.O. – County Buyout Program

A3140.1.4223.056 – 380127 – Probation Officer – C.B.O. – County Buyout Program

6. Positions Funded by Grant Money / Percentage / Commitment Grant Renewed for 2021:

Please see next page.

		Proposed Salary	Total Grant Funding		%	Total County Funding	%
			Salary	Fringe			
GIVE Grant							
A3140.1.4223.045	Probation Officer	\$58,963.00	\$26,268.00		44.55%	\$32,695.00	55.45%
	Fringe			\$10,467.00	17.75%	\$23,732.00	40.25%
A3140.1.4223.013	Probation Officer	\$58,963.00	\$52,336.00		88.76%	\$6,627.00	11.24%
	Fringe			\$20,934.00	35.50%	\$13,265.00	22.50%
DCYF Programs							
A3140.1.4203.001	Probation Supervisor	\$72,361.00	\$72,361.00		100.00%		0.00%
	Fringe			\$41,969.00	100.00%	\$0.00	0.00%
A3140.1.4213.001	Sr. Probation Officer	\$65,446.00	\$65,446.00		100.00%		0.00%
	Fringe			\$37,959.00	100.00%	\$0.00	0.00%
A3140.1.4223.048	Probation Officer	\$52,720.00	\$52,720.00		100.00%		0.00%
	Fringe			\$30,578.00	100.00%	\$0.00	0.00%
A3140.1.4223.054	Probation Officer	\$64,247.00	\$64,247.00		100.00%		0.00%
	Fringe			\$37,263.00	100.00%	\$0.00	0.00%
A3140.1.4203.005	Probation Supervisor	\$74,859.00	\$74,859.00		100.00%		0.00%
	Fringe			\$43,418.00	100.00%	\$0.00	0.00%
A3140.1.4223.026	Probation Officer	\$55,314.00	\$55,314.00		100.00%		0.00%
	Fringe			\$32,082.00	100.00%	\$0.00	0.00%
Raise The Age							
A3140.1.4203R.001	Probation Supervisor	\$72,361.00	\$72,361.00		100.00%		0.00%
	Fringe			\$41,969.00	100.00%	\$0.00	0.00%
A3140.1.4203R.002	Probation Supervisor	\$72,361.00	\$72,361.00		100.00%		0.00%
	Fringe			\$41,969.00	100.00%	\$0.00	0.00%
A3140.1.4423R.001	Senior Probation Officer	\$65,446.00	\$65,446.00		100.00%		0.00%
	Fringe			\$37,959.00	100.00%	\$0.00	0.00%
A3140.1.4423R.002	Senior Probation Officer	\$65,466.00	\$65,466.00		100.00%		0.00%
	Fringe			\$37,959.00	100.00%	\$0.00	0.00%
A3140.1.4424R.001	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.002	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.003	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.004	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.005	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.006	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.007	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.008	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.4424R.009	Probation Officer Trainee	\$51,858.00	\$51,858.00		100.00%		0.00%
	Fringe			\$30,078.00	100.00%	\$0.00	0.00%
A3140.1.2414R.001	Probation Assistant	\$37,977.00	\$37,977.00		100.00%		0.00%
	Fringe			\$22,027.00	100.00%	\$0.00	0.00%

7. Job Titles Proposed to be Changed or Moved:

None

8. Fees for Services:

FEES FOR SERVICES A93140.44046						
			BUDGETED	ACTUAL	ANTICIPATED	PROJECTED
YEAR	2018	2019	2020	2020	4 MTHS 2020	2021
				10/9/2020		
ORIGINAL BUDGET	\$29,250	\$42,750	\$46,750	\$46,750		\$29,250
Albany PD VOID	\$13,500	\$12,000	\$0	\$0		\$13,500
Transfers In			\$0	\$72,987		
REVISED BUDGET	\$42,750	\$54,750	\$46,750	\$119,737		\$42,750
ACTUAL EXPENSES:						
General Code				\$18,095.95		\$1013.00
GIVE*			\$12,000	\$8,144	\$3,856	\$12,000
DWI Risk Assessment			\$1,750	\$0	\$2,000	\$1,750
Bottled Water	\$318.55	\$2,782.13	\$2,300	\$722	\$800	\$2,300
Hitech Systems	\$388.64	\$400.29	\$425	\$412		\$425
Interpreter Services	\$983.04	\$2,070.16	\$2,000	\$289	\$1,000	\$2,000
Public Safety Psychology	\$2,400.00	\$1,800.00	\$3,300	\$600		\$3,300
Research Foundation	\$3,493.93	\$2,082.34				
GPS Monitoring Services	\$8,472.30	\$14,770.40	\$16,000	\$15,474	\$58,200	\$90,000
Sherweb	\$390.74	\$222.60	\$400	\$378	\$200	\$300
Thomson West	\$6,059.78	\$5,480.45	\$5,200	\$3,824	\$2,000	\$5,300
Programs - Food/Supplies		\$77.84	\$2,000	\$89	\$200	\$2,000
Miscellaneous	\$2,183.99	\$0.00	\$1,375	\$2,068	\$500	\$1,375
Adjustments			\$72,987			
TOTAL EXPENSES	\$24,691	\$29,686	\$119,737	\$50,095	\$68,756	\$121,763
*Current grant with NYSDCJS for monitoring.						
RAISE THE AGE:						
Transportation			\$0	\$0	\$0	\$3,000
New Employee Evaluations			\$0	\$900	\$0	\$4,200
Programming			\$0	\$3,190	\$0	\$823,581
				\$4,090		\$830,781
** 2020 Expenditures for Raise the Age may increase due to new contract effective 4/1/2020.						
We expect grant year 4/1/2020 to 3/31/2021 to be awarded						

9. New Initiatives and/or Eliminated Programs:

In addition to Department challenges, Raise the Age legislation has also provided Probation with an opportunity to make significant impact in the lives of the young people we serve not only through targeted supervision but also through the use of new and innovative programming. Since 2019, Probation has implemented various evidence based programs designed to address the needs of not only this population but all youth involved in the juvenile justice system. Those programs include: Electronic Monitoring as an Alternative to Detention (ATD) for Juvenile Delinquents (JDs) and Adolescent Offenders (AOs) which will allow for young offenders to be monitored and maintained safely in the community thereby reducing the reliance on costly detention services; the use of BITS (Brief Intervention Tools) a cognitive behavioral intervention with a variety of topics, administered by Probation Officers for use with all JD cases; Girls Circle and Boys Council, structured support groups facilitated by Probation Officers that integrates relational theory, resiliency practices, and skill training in a specific format designed to increase positive connection, personal and collective strengths, and competence in young woman and men to be utilized on

all Juvenile cases; and Career University, a job readiness program that provides the tools needed to secure gainful employment while accentuating further education and career exploration, to be implemented at the Evening Reporting Center. Moving forward in 2021, the Department will introduce additional programming such as Decision Points, an open-entry cognitive behavioral intervention program that is built on the “strategy of choices” and equips participants with alternative ways to examine their thinking and the related actions that lead them into trouble. Probation will also expand the use of Respite as alternatives to Specialized Secure Detention and Secure Detention for Adolescent Offenders and Juvenile Delinquents, further reducing the reliance on costly detention services. Probation is in the planning stages with Albany County’s Crime Victim and Sexual Violence Center to implement programming designed to support those youth who have a parent(s) and/or sibling(s) who is incarcerated. For these children, the experience of having a parent/sibling arrested and incarcerated is often very traumatic and can lead to feelings of depression, anger, aggression, isolating and self-harming behaviors, and can result in poor school performance, antisocial behavior and criminal activity. The goal of this collaboration is, among other things, to reduce the stigma associated with having a parent/sibling incarcerated, provide the youth with a safe forum to discuss their situation and feelings, and to support the youth in making pro-social choices.

10. County Vehicles / Title of Employees:

YEAR	MAKE/MODEL	PLATE NUMBER
2007	Dodge Charger	AU9225
2009	Dodge Charger	AU9227
2015	Ford Focus	AW9081
2015	Ford Focus	AW9097
2018	Ford Fusion	AZ7833
2018	Ford Fusion	AZ7834

*No vehicle is assigned to any staff. They are used continuously throughout the day and evening to conduct field work, monitor probationers and transporting probationers.

11. Overtime Breakdown:

	Overtime			
	Proposed Overtime	2020	2019	2018
Budget Amount	\$60,150.00	\$60,150.00	\$65,150.00	\$72,650.00
Expended		\$25,293.00	\$47,964.00	\$53,215.00
Grant Funding				
GIVE	\$15,000.00	\$15,000.00	\$15,000.00	\$32,500.00
DCYF Programs	\$32,263.00	\$30,000.00	\$30,000.00	\$30,000.00
Total Grant Funded	\$47,263.00	\$45,000.00	\$45,000.00	\$62,500.00
% Grant Funded	78.58%	74.81%	69.07%	86.03%
RAISE THE AGE				
Overtime Staffing	\$19,000.00	\$19,000.00	\$0.00	\$0.00
Overtime Program	\$37,700.00	\$37,700.00	\$0.00	\$0.00
Total	\$56,700.00	\$56,700.00		

OVERTIME

Overtime is used for Probation officers to conduct after hours home and field contacts on Probationers. NYS Executive Law mandates contacts with Probationers in their homes. Probation Officers also partner with Police to provide community policing. Overtime is also paid to Probation Officers warrant squad personnel for early morning and after hour’s transportation of Probationers. It is further used for Probation Officers to appear in various courts. It also is used for Probation Officers to provide afterhours programming to Probationers.

12. Line Items Established / Changed During 2020:

None

13. Biggest Risk:

Perhaps the biggest risks facing Probation in 2020 and going forward into 2021 are those associated with the Covid-19 pandemic. The “pausing” of New York in March left this Department with little choice but to rethink and reimagine the way in which Probation services were being delivered; services that not only supported and monitored clients successfully but also provided for community safety. As the court system had closed for several months, there was substantial backlog of cases which resulted in the temporary stalling of new cases into the Department. Probation took this as an opportunity to evaluate current workload assignments within the department and shift resources to those clients and families that presented with the most need/risk during this difficult time. As the state continues to “re-open” and return to normal protocols the Department will continue to evaluate the need for further changes as the flow of new cases increases.

14. Performance Indicators and Metrics:

Probation’s performance is often measured by the Department’s ability to help both juvenile and adult offenders make positive changes in their lives and successfully complete their terms of Probation and reduce recidivism. This is accomplished through a wide variety of strategies and programming offered by the Department. In 2018 (the most current year statewide statistics are available), the Probation Department’s Family Court Unit successfully discharged 85% of eligible juveniles (PINS and JD cases combined). For 2019 (the most current year statewide statistics are available), the Department’s Adult Supervision Units were able to successfully discharge just under 56% of eligible adult probationers. Based on a comparison with prior years, these outcomes remain consistent and in some areas improved as the Probation Department continues with its mission of providing best possible outcomes for the population we serve.

Albany County Juvenile Data 2018

Total PINS cases Closed	% Positive Outcomes	% Negative Outcomes	Total JD Cases Closed	% Positive Outcome	% Negative Outcome
55	93%	7%	65	78%	22%

Albany County Adult Data 2019—Probation Outcomes

2019	Early Discharge		Maximum Expiration		Total Positive	
Total Probation Cases	Number closed	% of Total closed	Number closed	% of Total Closed	Number Positive	% of Total Closed
2,105	95	12.7%	322	43.2%	417	55.9%

15. New Unfunded Mandates / Regulations / Risks to Grant Revenue / Risks to Reimbursement Revenues:

Bail Reform legislation was passed in 2019 and became effective January 1, 2020. In December 2019, this Department was certified by the Office of Court Administration as the pre-trial service agency in Albany County. An estimated 90% of all new arrests are eligible to be released, with additional supervision and GPS/electronic monitoring services at the court’s discretion. Additional staff and resources are required to process and supervise this new population. This Department has seen a significant increase in judicial orders to include GPS, although it is difficult to fully realize the numbers due to the Covid 19 pandemic and the reduction of court activity. This Department has taken on the added burden of Bail Reform cases without any additional funding and there is no information to date relative to grants associated with Bail Reform.

PUBLIC DEFENDER



DANIEL P. McCOY
COUNTY EXECUTIVE

HON. STEPHEN W. HERRICK
PUBLIC DEFENDER

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Hon. Wanda F. Willingham, Chair
Audit and Finance Committee
Albany County Legislature
Harold L. Joyce Albany County Office Building
112 State Street, Room 710
Albany, New York 12207

**RE: Response to Information Request
Proposed 2021 Budget**

Dear Chairperson Willingham;

In response to your inquiry dated October 6, 2020, the Office of the Albany County Public Defender submits the following.

1. The department representative appearing before the Audit and Finance Committee for this Office is Stephen W. Herrick, Albany County Public Defender.
2. The following are currently vacant positions in the Office of the Albany County Public Defender (by funding source):
 - A. Assistant Public Defenders (APD)
 1. County funded
 - a. APD I: 150065, 150098, 150120
 - b. APD II: 150112, 150115, 150116, 150117
 - c. ADP III: 150124
 - 2). NYS Office of Indigent Legal Services funded
 - a. APD II: 150033
 - b. Arraignment Attorney: 150135
 - c. APD II: 150147 (Early Separation Payment, effective 10/30/20)
 - B. Support Staff
 1. Albany County funded
 - a. Paralegal, 150086
 - b. Legal Secretary, 1500088, 150090
 - c. Clerical Aide, 150107
 2. NYS OILS funded
 - a. Legal Secretary, 150154
 - b. Clerk II, 150151, 150152

c. Receptionist, 150139

3. There are a ten (10) new positions proposed for the 2021 Annual Budget. All are 100% funded by NYS OILS in year 3 of the Hurrell-Harring Statewide Expansion.
4. No salary increases other than COLA have been proposed for either Albany or NYS OILS funded positions.
5. No positions have been proposed to be eliminated, however no vacant Albany County funded positions are intended to be filled in 2021.
6. The following positions are funded by grants from NYS OILS. The percentage funded is 100% unless otherwise indicated. I have no indication that any of the several existing State grants, and especially the Hurrell-Harring Statewide Expansion grant, which has three (3) years remaining of a five (5) year initial commitment, will be cancelled. The funds necessary for this grant have been "set aside" in a special State fund.

A. Assistant Public Defender (APD) I-VI

- I. 150122, 150065, (20%), 15059 (20%), 150070 (20%), 15007 (20%), 150098 (20%), 150019 (20%), 150120 (20%), 150121 (20%), 150122 (20%)
- II. 150033, 150145
- III. 150141, 150147, 150148, 150149
- IV. 150150
- V. 150127, 150128;
- VI. "Arrestment Attorney": 150135

B. Social Services Coordinator, 150140

C. Director of Training, 150140

D. Felony Supervisor, 150144

E. Criminal Investigator. 150034

F. Senior Criminal Investigator, 150155

G. Paralegal, 150046

H. Court Supervisor, 150138

I. Legal Secretary, 150100, 150153, 150154

J. Clerk II, 150151, 150152

K. Receptionist, 150139

7. None

8. In 2020 we were budgeted \$102,000.00 for fees for services. This increased amount was requested for anticipated increases expensed related to litigation and defense preparation. These services include medical and mental health evaluation and report, forensic review and reporting, translation services, legal research (Westlaw) and expert review, opinion and testimony. It also included funds for the "unknown" of discovery reform. We did not utilize those budgeted funds to a substantial extent however, in 2020, due to the closing of the courts as a result Covid-19. We anticipate therefore a balance remaining on the "fees for Services" line at the end of the year of over \$50,000.00.

9. We anticipate a return of a substantial amount of “in person” court appearances in 2021 and an increase in staff workload to manage and reduce the case load that grew during the pandemic. We are not aware of any new initiatives or additional “reimbursements” caused by program elimination other than as set forth in the preceding paragraph.

10. The four (4) Criminal Investigators in the Office of the Public Defender have the shared use of two (2) County owned vehicles: (1) a 2006 Chevrolet Impala #102 and (2) a 2018 Ford Fusion #32. The Chevrolet is routinely used by the Chief Criminal Investigator, and the Ford by the three (3) Criminal Investigators: The vehicles are used to enable the investigative staff to fulfill their multiple job responsibilities which take them out of the office for extended periods of time on a daily basis.

11. “Overtime” costs are for office staff to assist our attorneys on “off hours” court assignments in two of our busiest local criminal courts. The two staff members that receive overtime provide clerk related service, opening and updating files during busy court sessions. Due to court shutdown in 2020, there will be a balance remaining.

12. None.

13. The “biggest risk” the Office of the Public Defender faces in 2021 is the uncertainty of the extent and pace of the reopening of the courts. The pandemic is not controlled and the courts are appropriately reluctant to return to what was “normal” too quickly. We are unsure as to how to plan, how to budget, or how to move forward in the face of this unknown, over which we have very little control.

14. This is somewhat difficult to respond to because we do not measure performance in terms of wins and losses. We evaluate performance based on some objective standards, such as time and attendance, but much of our oversight is subjective. We evaluate based on our own professional experience; and it helps to have an open mind. There is no single way to be an effective criminal defense attorney, and often it requires many years to find what works best. We use local criminal court and felony supervisors to help our attorneys develop. We pair newer attorneys with those more experienced. We have a Director of Training and the support of NYS ILS and the New York State Defender’s Association, both located here in Albany to help develop our expertise.

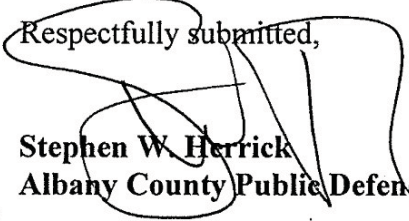
We train and prepare on an ongoing basis to ensure our clients receive superior representation. We do not maintain statistics; I’m not sure there are any that confirm what the legal community knows – the Albany County Public Defender provides excellent innovative and effective legal representation to our clients.

15. While all County Departments face the future with knowledge that the State of New York and County of Albany are in a desperate financial situation, the Public Defender’s Office stands in a substantially different and better position than many of our peers. The principal reason for this positive view is the fact that the NYS OILS has approximately \$21 million of the full \$26 million of the Hurrell-Harring Statewide Expansion contract with Albany County set aside for funding to the County for legal representation of indigent defendants charged with crimes

through March of 2023. This grant provides the majority of our funding from New York State.

If additional information is required, please feel free to contact me.

Respectfully submitted,


Stephen W. Herrick
Albany County Public Defender

CC: Hon. Andrew Joyce, Chairman
Albany County Legislature

Hon. Dennis A. Feeney, Majority Leader
Albany County Legislature

Hon. Frank A. Mauriello, Minority Leader
Albany County Legislature

ALT. PUBLIC DEFENDER



HON. DANIEL P. MCCOY
ALBANY COUNTY EXECUTIVE

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TINA K. SODHI, ESQ.
ALTERNATE PUBLIC DEFENDER

Honorable Wanda Willingham, Chair
Albany County Legislature
Audit and Finance Committee
112 State Street, Room 710
Albany, New York 12207

1. ***Identify department representative appearing before the Audit and Finance Committee for your agency budget presentation.***
 - a. Tina K. Sodhi, Esq. (Alternate Public Defender)
2. ***Identify by line item all vacant positions in your department.***
 - a. As of October 13, 2020, the Alternate Public Defender's Office has three vacant positions.
 - i. A1171 12025 005 670010 - Assistant Alternate Public Defender line vacated February, 2020 by an attorney who moved out of State.
 - ii. A1171 12025 007 670012 - Assistant Alternate Public Defender line vacated September, 2019 by an attorney who took another position within the county.
 - iii. A1171 15025 001 670014 - Legal Secretary line was created in 2019, funded by Indigent Legal Services Statewide Implementation Grant.
3. ***Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.***
 - a. There are no new positions in the upcoming year.
4. ***Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justifications for those raise(s).***
 - a. A1171 12025 003 670004 - Assistant Alternate Public Defender – increase from \$73,371 to \$75,770, pay parity with similarly situated attorney positions within the County (i.e. Public Defender's Office).
 - b. A1171 12025 004 670005 - Assistant Alternate Public Defender - increase from \$73,371 to \$86,594, pay parity with similarly situated attorney positions within the County (i.e. Public Defender's Office).

- c. A1171 12025 009 670007 – Assistant Alternate Public Defender – increase from \$73,371 to \$86,594, pay parity with similarly situated attorney positions within the County (i.e. Public Defender’s Office).
 - d. A1171 12025 005 670010 – Assistant Alternate Public Defender – increase from \$73,371 to \$75,570, pay parity with similarly situated attorney positions within the County (i.e. Public Defender’s Office).
 - e. A1171 12025 006 670011 – Assistant Alternate Public Defender – increase from \$73,371 to \$86,594, pay parity with similarly situated attorney positions within the County (i.e. Public Defender’s Office).
 - f. A1171 12025 007 670012 – Assistant Alternate Public Defender – increase from \$73,371 to \$75,770, pay parity with similarly situated attorney positions within the County (i.e. Public Defender’s Office).
 - g. A1171 12025 008 670013 – Assistant Alternate Public Defender – increase from \$73,371 to \$86,594, pay parity with similarly situated attorney positions within the County (i.e. Public Defender’s Office).
 - h. A1171 12025 001 670021 – Assistant Alternate Public Defender – Appellate Attorney- increase from \$73,371 to \$98,000, pay parity with similarly situated attorney positions with the County. (Specializes in Appellate Practice).
5. ***Identify by line item any position proposed to be eliminated or salary decreased (please indicate whether the eliminated item or salary decrease is related to the County Buyout Program of 2020 with C.B.O. designated next to the listed item.)***
- a. A1171 16412 001 670016 – Receptionist – \$39,621 to \$0, position proposed to be eliminated.
6. ***Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2021 (please indicate any potential funding reductions for NYS revenue sources).***
- a. A1171 12025 003 670004 – Assistant Alternate Public Defender – this position is completely grant funded. As of yet, we have not been advised of any funding reductions in the Indigent Legal Services Fund.
 - b. A1171 12025 009 670007- Assistant Alternate Public Defender – this position is completely grant funded. As of yet we have not been advised of any funding reductions in the Indigent Legal Services Fund.
 - c. A1171 12025 008 670013 – Assistant Alternate Public Defender - this position is 85% grant funded. As of yet we have not been advised of any funding reductions in the Indigent Legal Services Fund.
 - d. A1171 12025 001 670021 – Assistant Alternate Public Defender – this position is completely grant funded. As of yet we have not been advised of any funding reductions in the Statewide Implementation Funds.
 - e. A1171 12035 001 670020 – Supervising Administrator – this position is completely grant funded. As of yet we have not been advised of any funding reductions in the Statewide Implementation Funds.

- f. A1171 15025 001 670014 – Legal Secretary - not yet filled, this position is completely granted funded. As of yet, we have not been advised of any funding reductions in the Statewide Implementation Funds.
- 7. Identify by line item all job titles proposed to be changed or moved to another line item (e.g. reclassifications).**
- a. There are no changes or movements proposed.
- 8. Provide a breakdown of specific expenditures regarding fees for services lines and contractual expense lines and indicate 2020 expenditures compared to 2021 proposed expenditures.**
- a. As of October 13, 2020, this year’s actual expenditures are \$6,764.75.
- i. \$904.51 to Probst Investigations for investigative services.
 - ii. \$331.83 to Albany Investigations for investigative services.
 - iii. \$20 to Cynthia West for transcription services.
 - iv. \$27.53 to WB Mason for water delivery.
 - v. \$4960.88 for Westlaw legal research services.
 - vi. \$520 to All Language Transcription for interpreter services.
- b. All but the water delivery is reimbursable by the Statewide Implementation Grant. Final spending in this line varies each year depending on the usage of investigators and experts during trials. Westlaw legal research is a significant expense that is paid quarterly.
- 9. Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.**
- a. The Alternate Public Defender’s Office will begin handling appeals effective 2021, which will save the County a significant sum of money from the 18b Panel.
- 10. Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.**
- a. There are no county vehicles used by this department.
- 11. Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.**
- a. There are no overtime lines in this department.
- 12. Identify by line item any positions that were established/changed during the 2020 fiscal year.**
- a. A91171 12025 003 670004 – Assistant Alternate Public Defender position was established in 2020.
- 13. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2021) to better understand that risk and mitigate it.**

- a. The biggest risk of this department is not providing our client's effective and quality representation. Currently, we are short two attorneys. Being fully staffed will decrease the caseloads of the attorneys, thus providing better representation to our clients. The County Executive has committed to improving the services provided by Albany County's indigent defense offices, and in conjunction with the Grant money provided by New York State Indigent Legal Services, such will mitigate any financial hindrance on this department, thus allowing us to focus solely on our client's needs.

14. Please list performance indicators and metrics used by your department and current statistics for those metrics.

- a. New York State has set caseload standards for all Public Defender Offices. Our caseloads are tracked by PDMCS and reports and updates are provided to Indigent Legal Services multiple times a year to ensure that our caseloads remain at or below the State's recommended level. Furthermore, NYS Indigent Legal Services has provided and will continue to provide significant funding over the next few years to ensure that quality representation is provided to our clients.

15. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source (e.g. indicate any potential funding reductions for the NYS revenue sources.)

- a. As of yet, there has not been any indication of any potential funding reductions by Indigent Legal Services.

COUNTY ATTORNEY

DANIEL P. MCCOY
COUNTY EXECUTIVE



EUGENIA KOUTELIS CONDON
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JOHN W. LIGUORI
DEPUTY COUNTY ATTORNEY

MEMORANDUM

TO: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

FROM: Eugenia Koutelis Condon *EKC*
County Attorney

DATE: October 15, 2021

RE: Proposed 2021 Budget

With respect to the Law Department's 2021 proposed budget, the following information is submitted in response to your memo of October 6, 2020.

1. **Department Representative Attending Committee Meeting:** I will attend the meeting along with Deputy County Attorney, John Liguori.

2. **Vacancies:** Current vacancies are as follows:

A 1420 11140 001 25002 First Asst. County Attorney

A 1420 12005 002 250061 Assistant County Attorney III – approval to fill this position has been granted and will be filled as an equity based move.

A 1420 12003 004 250057 Assistant County Attorney I – approval to fill this position has been granted and candidates are being actively interviewed for our Family Court DCYF Bureau.

A1420 14130 001 250041 Investigator – an offer of employment has been made for this position.

A1420 16207 001 250038 Clerk I PT – approval to fill this position has been granted and an offer of employment has been made.

3. **New Positions:** There are no new positions in the Law Department's budget.
4. **Proposed Salary Increases:** There are no new proposed salary increases beyond union contract commitments and the proposed increase for non-union employees in the County Executive's proposed budget.
5. **Positions to be eliminated or subject to Salary Decrease:** The proposed budget does not propose to eliminate any position or decrease any salary.
6. **Grant Funded Positions:** There are no grant funded positions, however, the Law Department implements chargebacks to the Departments of Social Services and Children, Youth and Families for services rendered to those Departments. In addition, the salaries of one full time Assistant County Attorney, one Attorneys Trial Assistant and two legal secretaries are funded through the Department of Finance for their attention to real property matters. The amount of legal service charges is set forth in the proposed budget.
7. **Titles to be Changed or Moved:** The budget does not propose to change or move any titles.
8. **Fees for Services:** As of the date of this letter, the Law Department has paid \$10,262.77 for 2020 Fees for Services as per the attached expenditures report. The charges to this account include attorney's fees and litigation costs (mediation, expert witness, filing and other fees). As a result of Covid-19 and the closure of the Courts and subsequent reduction of court activities during 2020, there has been little litigation activity that generated payment under Fees for Services. Thus, the expenditures to date for 2020 are not an accurate reflection of typical payments made under this line. The County continues to have on retainer Wilson Elser who is representing the County in the highly technical area of fiber optics litigation. This representation involves a dispute with Sprint as it relates to the Albany County Rail Trail. All activity related to that litigation has been on hold as a result of Covid-19. In 2021, it is anticipated that court activity will begin to increase and we will see increased expenditures from this line. The 2021 budget proposes that this line continue to remain budgeted at \$70,000 for 2021. As Court operations normalize, we anticipate needing those funds moving forward.
9. **New Initiatives or Eliminated Programs:** In 2020, the Department of Law in collaboration with the Department of Probation continued the County Executive's Project Growth restorative justice program with juvenile delinquents who committed crimes and who owed restitution for their crimes. The program which was initially launched in 2014 was expanded in 2019 to

include young adults, ages 16-24. The program not only provides young adults with programming and opportunities that will decrease recidivism and reduce the chances of re-offending, it provides restitution to victims of their delinquent acts. Each participating young adult receives a stipend for completing the program which is applied to the restitution owed to the victim of his or her case. The Law Department's proposed budget includes funding to continue this program in 2021. As a result of Covid-19, there was no summer programming for Project Growth. However, the Fall phase of Project Growth will involve young adults, age 17-24, and will combine the Career University curriculum, DMV prep for Learner's permit and Pre-licensing course, off-site visits and service projects to be completed at Lawson's Lake and the historic Watervliet Shaker site. The first service project will occur at Lawson's Lake and will be completion of a deck at the Weldon Lodge that will make the Lodge handicapped accessible. This project will be in collaboration with Finishing Trade Union Local 9, Albany County Department of General Services, Albany County Department of Recreation and Lawson's Lake staff. The second service project will be conducted at the Watervliet Shaker site in collaboration with the Shaker Heritage Society and the Albany County Department of General services. This project will entail the replacement of fencing and building of a new tree rail fence at the entrance of the Watervliet Shaker site to enhance its beauty. The Fall Program is occurring during the month of October, 2020.

10. **Vehicles:** The Department of Law does not have any vehicles assigned to it.
11. **Overtime:** The Department of Law budget does not contain any overtime.
12. **Positions that were established/changed:** No positions were established or changed during 2020.
13. **Biggest Risk and Action Plan:** The biggest risk for the Department of Law in 2020 remains the ability to continue to effectively handle large civil litigation in-house while maintaining the same level of representation on other matters. Since the merger in 2012, the Department of Law has been highly successful in handling the vast majority of litigation matters in-house, as opposed to retaining outside counsel. As a result, the County has saved millions of dollars in contractual expenses on outside counsel. Currently, the Law Department is handling several complex litigation matters, two of which are scheduled for trial in 2021. These matters are being handled by two full time Assistant County Attorneys and overseen by the Deputy County Attorney and require a tremendous amount of Department resources. While this is a prime example of what can be achieved in savings by handling litigation in-house (estimated to have saved the County over \$1.6 million in attorney's fees alone since 2012), it highlights a significant risk associated with the need to attend to these highly complex actions while also attending to other significant matters within the Department. This in addition to potential staff turnover or lack of resources could have a detrimental impact when dealing with complex and numerous matters impacting the County.
14. **Performance Indicators:** The Department of Law does not have specific performance metrics or indicators. As you know, the Law Department is a service based department that utilizes best practices to provide counsel and assistance to all clients effectively and as efficiently as possible.

15. Unfunded mandates: The Raise the Age Legislation has created significant additional caseload for the Family Court Unit in the Department of Law. Based upon the projections from OCFS and DCJS, the Department of Law requested the creation of three new positions, an Assistant County Attorney, Legal Secretary and an Investigator in the 2019 budget. The positions and the request for reimbursement were included in Albany County's budget plan submitted to the State. After their review, they determined that these positions would not be approved for reimbursement. Therefore, in this year's budget, these positions are being eliminated, however, the caseload continues to provide additional burden on staff.

Thank you for your attention to this matter.

EKC:e

Enclosure

cc: David Reilly, Acting Commissioner, Management and Budget
John Liguori, Deputy County Attorney

Account Inquiry - Munis [COUNTY OF ALBANY]

HOME

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Account

Fund: A GEN FUND Acct: A -11-15-1420-000-44046 -10000

Org: A91420 CO ATTORNE Accl name: Fees For Services Account Notes

Object: 44046 FEES SVCS Type: Expense Status: Active

Project: 10000 COUNTY SHARE Rollup: Sub-Rollup: MultiYr Fund:

4 Year Comparison	Current Year	History	Fiscal Year 2020		Fiscal Year 2019		Fiscal Year 2018		Fiscal Year 2021	
Yr/Per 2020/10			70,000.00		70,000.00		70,000.00		.00	
Original Budget										
Transfers In	.00				.00		24,580.85		.00	
Transfers Out	.00				-9,500.00		-24,580.85		.00	
Revised Budget	70,000.00				60,500.00		70,000.00		.00	
Actual (Memo)	10,262.77				34,114.67		59,336.07		.00	
Encumbrances	.00				.00		.00		.00	
Requisitions	.00								.00	
Available	59,737.23				26,385.33		10,663.93		.00	
Percent used	14.66				56.39		84.77		.00	

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10/07/2020 09:57
tberghela

COUNTY OF ALBANY
G/L ACCOUNT DETAIL

P 1
glactinq

Org: A91420 Object: 44046 Project: 10000
Fees For Services A -11-15-1420-000-44046 -10000

YEAR	PER	JOURNAL	EFF DATE	SRC TR	PO/REF2	REFERENCE	AMOUNT	POSTED
2020	09	1633	09/29/2020	API 1		W 11/04/20	24.40	Y
2020	09	1633	09/29/2020	API 1		W 11/04/20	2,898.50	Y
2020	09	609	09/11/2020	API 1		W 10/21/20	3,242.47	Y
2020	09	315	09/08/2020	API 1		W 10/14/20	567.00	Y
2020	09	27	09/01/2020	API 1		W 09/02/20	81.00	Y
2020	06	2397	06/18/2020	API 1		W 07/29/20	2,500.00	Y
2020	05	268	05/08/2020	API 1		W 06/10/20	885.85	Y
2020	03	497	03/10/2020	API 1		W PC	52.10	Y
2020	01	667	01/21/2020	API 1		9112	11.45	Y

Total Amount: 10,262.77

** END OF REPORT - Generated by Berghela, Teresa **

IMMIGRATION



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
REGIONAL IMMIGRATION ASSISTANCE CENTER
REGION 3- CAPITAL REGION & NORTHERN N.Y.
112 STATE STREET, SUITE 900
ALBANY, NEW YORK 12207
PHONE: (518) 447-4890
www.albanycounty.com

EVELYN A. KINNAH, ESQ.
DIRECTOR

BAKARY JANNEH
DEPUTY DIRECTOR

MEMORANDUM

TO: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

FROM: Evelyn Kinnah

DATE: October 15, 2020

RE: Office of Immigration Assistance

1. Identify department representative appearing before the Audit & Finance Committee for your agency budget presentation.
Evelyn A. Kinnah, Director
2. Identify by line item all vacant positions in your department.
The Department has one 2020 vacant position of Immigration Counsel, which is anticipated to be filled on October 30.
3. Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.
The Department has no new positions.
4. Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justification for those raise(s).
The Department's personnel lines reflect a 2% increase for the 2020 budget.
5. Identify by line item any position proposed to be eliminated or salary decreased (please indicate whether the eliminated item or salary decrease is related to the County Buyout Program of 2020 with C.B.O. designated next to the listed item).
There are no positions proposed to be eliminated or salary decreased.

6. Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2021 (please indicate any potential funding reductions for NYS revenue sources).

All positions in the Department are 100% grant funded through the New York State Office of Indigent Legal Services. Current grant funding for the Department is for the period January 1, 2020 to December 31, 2022.

7. Identify by line item all job titles proposed to be changed or moved to another line item (e.g., reclassifications).

There are no job titles proposed to be changed or moved to another line item.

8. Provide a breakdown of specific expenditures regarding fees for services lines and contractual expense lines and indicate 2020 expenditures compared to 2021 proposed expenditures.

Fees for Service A 1173 44046: Total Budget \$24,000

The Department works closely with community outreach organizations and will enlist their services as needed. The cost of this service is expended on the "Fees for Services" line. Additionally, any interpreter services needed and provided for a client is expended on this line. This expenditure is reimbursable through the grant process.

9. Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.

There are no new initiatives and/or eliminated programs. The grant funding reflects a continuation of the Department's existing work.

10. Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.

There are no vehicles assigned to the Department.

11. Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.

There is no overtime budget for the Department.

12. Identify by line item any positions that were established/changed during the 2020 fiscal year.

No positions were established/changed during the 2020 fiscal year.

13. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2021) to better understand that risk and mitigate it.

The lone potential risk at this time is COVID-19 exposure. The Department has reduced the potential for COVID-19 exposure for Department staff by eliminating travel to all counties within the Department's coverage area, and conducting all trainings, outreach and other functions remotely.

14. Please list performance indicators and metrics used by your department and current statistics for those metrics.

Performance Measurements:

- **Work closely with other indigent legal service providers, bar associations and nonprofit organizations to develop and coordinate regional attorney and judicial trainings and resource materials which address the intersections among criminal, family and immigration law**
 - **Improve the legal representation of indigent noncitizens by providing expert legal advice and defense strategies to court-mandated attorneys in assisting their noncitizen clients in making informed choices regarding any adverse immigration consequences which may arise from a family law and/or criminal court proceeding.**
 - **Collaborate with ILS and the other five (5) Regional Immigration Assistance Centers to analyze regional trends, collect data, and identify attorney best practices that should be considered for possible replication throughout the State.**
 - **Develop a community outreach plan which informs attorneys and noncitizens of the services that it is able to provide while remaining consistent with the constant evolution of immigration policy nationwide.**
 - **Assist in the representation of several individuals who have valid constitutional claims to vacate prior criminal convictions which would otherwise lead to the noncitizen's removal from the United States.**
 - **Identify victims of human trafficking in addition to victims of crime and connect these individuals to services which assist in providing housing and vocational skills while also helping them navigate the pathway to lawful status.**
 - **Provide assistance to DACA recipients who are seeking guidance.**
 - **Assist attorneys whose clients may be targeted by impending ICE raids.**
 - **Provide an immigration hotline.**
 - **Provide assistance to noncitizens seeking to file applications with the U.S. Citizenship & Immigration Services (USCIS).**
15. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source (e.g., indicate any potential funding reductions for NYS revenue sources).
- There are no potential new unfunded mandates, regulations, risks to grant revenues, or risks to reimbursement revenues.**

BOARD OF ELECTIONS



Albany County Board of Elections

COMMISSIONERS OF ELECTION

RACHEL L. BLEDI
REPUBLICAN

MATTHEW J. CLYNE
DEMOCRATIC

32 NORTH RUSSELL ROAD
ALBANY, NEW YORK 12206-1324
OFFICE HOURS: 8:30 AM to 4:30 PM
TELEPHONE: (518) 487-5060
FAX: (518) 487-5077
WWW.ALBANYCOUNTY.COM/VOTE

DEPUTY COMMISSIONERS

HEIDI R. CONNORS (D)

MELISSA KERMANI (R)

TO: Hon. Wanda Willingham, Chair
Audit & Finance Committee

FROM: Albany County Board of Elections

Date: October 16, 2020

RE: Proposed 2021 Budget

1. The department representatives appearing before the Audit & Finance Committee will be: Matthew J. Clyne and Rachel L. Bledi.
2. There are no vacant positions.
3. There are no new positions.
4. There are no proposed salary increases beyond those contained in the executive budget. However, there is one proposed adjustment: on October 13, 2020, the Legislature adjusted, by way of Resolution #367, the 2020 salaries of six (6) staff members, under the following line items:
1450 11115 001, 1450 11115 002,
1450 11125 001, 1450 11125 002
1450 12749 001, 1450 12749 002

The 2021 executive budget does not reflect the aforesaid adjustment, so the executive budget should be modified with respect to those six (6) line items.

5. There are no positions proposed to be eliminated or salary decreased.
6. There are no positions funded by grant money.
7. There are no proposed job title changes or movements to another line item.
8. There are significant increases in the 2021 fees for services line (1450-44046). These increases are attributable to the Verizon connectivity charges for the electronic poll pads, as well as anticipated COVID-related expenses (temporary staffing, poll site disinfection, enhanced poll site rentals) and professional services related to a 2021 redistricting. There are also significant increases to the contractual expense lines in regard to the postage (1450-44035) and printing and advertising (1450-44042) lines. These increases reflect the an anticipated large-scale increase in the number of absentee ballots, used in both the primary and general elections, and the prospect that the county may be required to pay the return postage (as was done in the 2020 primary) and contract with a third-party vendor to produce and mail the ballots (as was done with the 2020 general election). It also reflects an increase in postage and printing costs to be incurred in relation to redistricting.

9. There are no new initiatives or eliminated programs.
10. The Board of Elections has two (2) county vehicles, a 2008 Ford box truck and a 2009 Chevy van, which are used to transport voting machines and election-related supplies to polling sites and voter outreach presentations. There are no county vehicles assigned to any staff member of the Board of Elections.
11. The proposed overtime line (#19900) for 2021 is \$100,000.00. This reflects a \$20,000.00 increase over the 2020 budgeted amount due to anticipated COVID-related tasks, principally those pertaining to the processing of absentee ballots
12. There were no positions established or changed during the 2020 fiscal year.
13. There are no known operational risks for 2021.
14. The Board of Elections sole performance metric is the successful conduct of our elections.
15. The Board of Elections is presently aware of two (2) potentially unfunded mandates: a) the acquisition of a new line of electronic voting machine is all but inevitable given the well-known obsolescence rate of electronic equipment; and b) redistricting following the 2020 federal decennial census will necessitate the expenditure of additional county money for GIS services.

cc: Nicole M. Chambers, Clerk of the Legislature
Hon. Frank A. Mauriello, Minority Leader
Arnis Zilgme, Esq., Minority Counsel