

County of Albany

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



Meeting Agenda

Monday, March 8, 2021

7:00 PM

Held Remotely

Room 710

County Legislature

Call to Order

Roll Call

PREVIOUS BUSINESS

383. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2020

Sponsors: Efekoro

56. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

Sponsors: Lekakis, Ethier, Kuhn, A. Joyce, Feeney, Beston, Bruschi, Burgdorf, Chapman, Clay, Cleary, Commisso, Cunningham, Domalewicz, Drake, Efekoro, Fein, Grimm, R. Joyce, Langdon, Lockart, Mauriello, Mayo, McLaughlin, McLean Lane, Miller, Perlee, Peter, Plotsky, Reidy, Reinhardt, Ricard, Smith, Tunny, Ward, Whalen and Willingham

57. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "A" FOR 2021: A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY

Sponsors: Efekoro

58. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-A (SUBD. 2 (B)) TO BE VACANT AND ABANDONED

Sponsors: Peter, McLaughlin, A. Joyce, Feeney, Beston, Chapman, Clay, Cleary, Commisso, Cunningham, Domalewicz, Efekoro, R. Joyce, Kuhn, Lekakis, Mayo, McLean Lane, Plotsky, Reidy, Reinhardt, Ricard, Ward, Whalen and Willingham

59. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2021 A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM

Sponsors: Efekoro

60. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR SPECIAL DEFERMENTS AND INSTALLMENT PAYMENTS OF TAXES DURING THE COVID-19 STATE OF EMERGENCY FOR REAL PROPERTY LOCATED WITHIN THE COUNTY OF ALBANY

Sponsors: Peter, Commisso and Domalewicz

CURRENT BUSINESS:

61. AUTHORIZING A LEASE AGREEMENT WITH MVP HEALTH CARE REGARDING CORPORATE SUITE NO. 17 AT THE TIMES UNION CENTER

Sponsors: Public Works Committee

62. AUTHORIZING AN AGREEMENT WITH SARATOGA RAILROAD ENGINEERING, PC REGARDING DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE VOORHEESVILLE RAIL CROSSING QUIET ZONE

Sponsors: Public Works Committee

63. AUTHORIZING AGREEMENTS WITH DIRECT ENERGY BUSINESS REGARDING THE SUPPLY OF NATURAL GAS FOR VARIOUS COUNTY FACILITIES

Sponsors: Public Works Committee

64. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE COUNCIL ON THE ARTS REGARDING FACILITIES UPGRADES AT THE SHAKER HERITAGE SITE

Sponsors: Public Works Committee

65. AUTHORIZING AGREEMENTS WITH THE AFFORDABLE HOUSING PARTNERSHIP, AND PLUGIN SOLUTIONS ONLINE, LLC FOR THE PURCHASE, INSTALLATION AND MAINTENANCE OF ELECTRIC VEHICLE CHARGING STATIONS

Sponsors: Public Works Committee

66. AUTHORIZING THE SUBMISSION OF INTERCONNECTION APPLICATIONS TO NATIONAL GRID REGARDING THREE POTENTIAL SOLAR SITES IN ALBANY COUNTY

Sponsors: Public Works Committee

67. AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SARATOGA COUNTY FOR THE REMOVAL OF INVASIVE SPECIES AT VARIOUS COUNTY LOCATIONS

Sponsors: Conservation and Sustainability and Green Initiatives Committee

68. AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SARATOGA COUNTY FOR THE REMOVAL OF INVASIVE SPECIES AT THE ANN LEE POND AND AMENDING THE 2021 DEPARTMENT OF ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET

Sponsors: Conservation and Sustainability and Green Initiatives Committee

69. AUTHORIZING AN AGREEMENT WITH BERGMANN ASSOCIATES REGARDING THE DEVELOPMENT OF A COUNTYWIDE CLIMATE RESILIENCY PLAN

Sponsors: Conservation and Sustainability and Green Initiatives Committee

70. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF THE AGING REGARDING THE MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT GRANT

Sponsors: Elder Care Committee

71. APPROVING THE BYLAWS OF THE ADVANCE ALBANY COUNTY ALLIANCE LOCAL DEVELOPMENT CORPORATION

Sponsors: Law Committee

72. AMENDING RESOLUTION NO. 40 FOR 2018 REGARDING ELECTRONIC MEDICAL RECORDS SOFTWARE FOR THE ALBANY COUNTY DEPARTMENT OF HEALTH

Sponsors: Health Committee

73. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 HAZMAT GRANT AND AMENDING THE 2021 SHERIFF'S OFFICE BUDGET

Sponsors: Public Safety Committee

74. APPROVING THE 2021 ALBANY COUNTY STOP-DWI PLAN AND AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

Sponsors: Public Safety Committee

75. APPROVING THE POLICE REFORM AND REINVENTION PLAN AS SUBMITTED BY THE ALBANY COUNTY SHERIFF'S OFFICE

Sponsors: Public Safety Committee

76. AUTHORIZING AN AGREEMENT WITH AETNA TO ADMINISTER THE MEDICARE ADVANTAGE PLAN FOR MEDICARE ELIGIBLE RETIREES

Sponsors: Personnel Committee

77. AMENDING THE 2021 DEPARTMENT OF HEALTH BUDGET: ADMINISTRATIVE ADJUSTMENTS

Sponsors: Audit and Finance Committee

78. AMENDING THE 2021 DEPARTMENT OF MENTAL HEALTH BUDGET: CLINICAL DIRECTOR POSITION

Sponsors: Audit and Finance Committee

79. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE ADVANCE TRAINING INITIATIVE PROGRAM

Sponsors: Audit and Finance Committee

80. AUTHORIZING AN INTERMUNICIPAL AGREEMENT REGARDING AERIAL IMAGERY UPGRADES AND AMENDING THE 2021 ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET

Sponsors: Audit and Finance Committee

81. AMENDING THE 2021 ALBANY COUNTY BUDGET: ADMINISTRATIVE ADJUSTMENTS

Sponsors: Audit and Finance Committee

82. AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF BETHLEHEM

Sponsors: Audit and Finance Committee

83. AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE TOWN OF GUILDERLAND

Sponsors: Audit and Finance Committee

84. AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE CITY OF ALBANY

Sponsors: Audit and Finance Committee

85. AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE TOWN OF COLONIE

Sponsors: Audit and Finance Committee

86. AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE TOWN OF WESTERLO

Sponsors: Audit and Finance Committee

87. AMENDING RESOLUTION NO. 45 FOR 2019 AS AMENDED REGARDING THE COUNTYWIDE RESILIENCY GRANT PROGRAM

Sponsors: Audit and Finance Committee

88. AUTHORIZING THE RELEASE OF RIGHT OF REVERTER OF TITLE TO 144 LIVINGSTON AVENUE (TAX MAP NO. 65.74-4-12) IN THE CITY OF ALBANY

Sponsors: Audit and Finance Committee

89. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 171 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 291 THIRD STREET (TAX MAP NO. 65.56-1-58) IN THE CITY OF ALBANY

Sponsors: Audit and Finance Committee

90. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 172 MAIN STREET (TAX MAP NO. 168.10-3-14) IN THE TOWN OF COEYMANS

Sponsors: Audit and Finance Committee

91. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 813 19TH STREET (TAX MAP NO. 32.50-5-14) IN THE CITY OF WATERVLIET

Sponsors: Audit and Finance Committee

92. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 434 BROADWAY (TAX MAP NO. 44.18-2-17) IN THE TOWN OF COLONIE

Sponsors: Audit and Finance Committee

93. APPOINTMENT OF A MEMBER TO THE COMMUNITY SERVICES BOARD SUBCOMMITTEE ON MENTAL HEALTH

Sponsors: Feeney

94. APPOINTMENT OF MEMBER TO THE ALBANY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

Sponsors: Feeney

95. PUBLIC HEARING ON LOCAL LAW NO. "D" FOR 2021 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, THE RESTAURANT PROTECTION LAW, IN RELATION TO THIRD-PARTY DELIVERY SERVICES

Sponsors: Grimm, Mauriello, Lockart, Perlee, Burgdorf, Drake, Langdon, Tunny and Whalen

Adjournment

RESOLUTION NO. 383

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2020

Introduced: 10/13/20

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "I" for 2020, "A Local Law of the County of Albany, New York To Prohibit Smoking in Common Areas of Multiple Unit Dwellings" be held remotely by the County Legislature, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Health Committees – 10/13/20

Favorable Recommendation Law Committee – 2/24/21

Favorable Recommendation Health Committee – 2/25/21

RESOLUTION NO. 56

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

Introduced: 2/8/21

By Ms. Lekakis, Messrs. Ethier, Kuhn, A. Joyce, Feeney, Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Fein, Grimm, R. Joyce, Langdon, Ms. Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Smith, Tunny, Ward, Mss. Whalen and Willingham:

WHEREAS, No greater threat to the health and safety of the employees of the County of Albany has been experienced than that which was brought by the COVID-19 global pandemic, and

WHEREAS, The goal of vaccination is paramount to the continued welfare of the employees of the County and the community as a whole, and

WHEREAS, It is inconceivable that employees of the County may have to decide between their income and their health and safety, and

WHEREAS, It is therefore necessary to ensure such decisions need not be contemplated by providing employees of the County of Albany with the necessary paid time-off so that they may receive the COVID-19 vaccine, and

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Contained therein is Article VI: Paid Leaves of Absence for employees of the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

ARTICLE VI: PAID LEAVES OF ABSENCE

O. Special Paid Leaves (Excused Time).

9. Special Leave for COVID-19 Vaccination. An employee shall be granted up to four (4) hours paid leave per year for the purpose of being vaccinated for COVID-19. The employee will be required to report to work for the balance of the work day when such procedure requires less time than the employees scheduled work day.

- a. Such leave shall be charged in such increments as may be approved by the employee's supervisor but in no case shall such increments be less than one-quarter ($\frac{1}{4}$) hour.
- b. All requests to use special leave for COVID-19 vaccination must be submitted to an employee's supervisor as soon as the need to be absent from work for the purposes of being vaccinated for COVID-19 is known to the employee. Failure to provide proper notice may result in the denial of leave.
- c. Satisfactory proof that such vaccination was scheduled and/or administered may be requested by the supervisor of the employee or the Department of Human Resources.
- d. Submission of forged, fraudulent or altered documentation for satisfying subsection "c" herein shall be handled pursuant to subsection seven (7) of section I of this Article.

and be it further,

RESOLVED, that to the extent permissible under law, this grant of paid leave shall apply to both union and non-union employees, but nothing herein shall be deemed to impede, infringe, diminish or impair the rights of an employee under any law, regulation or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining agreement, and be it further,

RESOLVED, that this Resolution shall take effect immediately and apply retroactively to employees who can provide satisfactory proof that they used accruals for the purposes of receiving the COVID-19 vaccine on or after December 1, 2020, with such accruals previously used being restored to the employee in accordance with the terms of this Resolution, and be it further,

RESOLVED, that this Resolution shall expire and be deemed repealed on December 31, 2022, 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.

Referred to Health and Personnel Committees – 2/8/21

Favorable Recommendation Health Committee – 2/25/21

Favorable Recommendation Personnel Committee – 2/25/21

RESOLUTION NO. 57

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “A” FOR 2021: A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY

Introduced: 2/8/21

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “A” for 2021, “A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY” be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Economic Development Committees – 2/8/21

Favorable Recommendation Law Committee – 2/24/21

Favorable Recommendation Economic Development Committee – 2/24/21

RESOLUTION NO. 58

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-A (SUBD. 2 (B)) TO BE VACANT AND ABANDONED

Introduced: 2/8/21

By Mr. Peter, Ms. McLaughlin, Messrs. A. Joyce, Feeney, Beston, Ms. Chapman, Messrs. Clay, Cleary, Comisso, Ms. Cunningham, Messrs. Domalewicz, Efekoro, Ethier, R. Joyce, Kuhn, Ms. Lekakis, Mr. Mayo, Mss. McLean Lane, Plotsky, Messrs. Reidy, Reinhardt, Ricard, Ward, Mss. Whalen and Willingham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "B" for 2021, "A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-a (SUBD. 2 (B)) TO BE VACANT AND ABANDONED" be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Audit and Finance Committees – 2/8/21

Favorable Recommendation Law Committee – 2/24/21

Favorable Recommendation Audit and Finance Committee – 2/25/21

RESOLUTION NO. 59

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2021 A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM

Introduced: 2/8/21

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "C" for 2021, "A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM" to be held remotely by the Albany County Legislature at 7:15 p.m. on Tuesday, March 23, 2021, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Mass Transit Committees – 2/8/21

Favorable Recommendation Law Committee – 2/24/21

Favorable Recommendation Mass Transit Committee – 2/24/21

RESOLUTION NO. 60

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “E” FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR SPECIAL DEFERMENTS AND INSTALLMENT PAYMENTS OF TAXES DURING THE COVID-19 STATE OF EMERGENCY FOR REAL PROPERTY LOCATED WITHIN THE COUNTY OF ALBANY

Introduced: 2/8/21

By Messrs. Peter, Commisso and Domalewicz:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “E” for 2021, “PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “E” FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR SPECIAL DEFERMENTS AND INSTALLMENT PAYMENTS OF TAXES DURING THE COVID-19 STATE OF EMERGENCY FOR REAL PROPERTY LOCATED WITHIN THE COUNTY OF ALBANY” be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Audit and Finance Committees – 2/8/21

Favorable Recommendation Law Committee – 2/24/21

Favorable Recommendation Audit and Finance Committee – 2/25/21

RESOLUTION NO. 61

AUTHORIZING A LEASE AGREEMENT WITH MVP HEALTH CARE REGARDING CORPORATE SUITE NO. 17 AT THE TIMES UNION CENTER

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, MVP Health Care (Suiteholder) has indicated an interest in leasing Corporate Suite No. 17 at the Times Union Center (TUC) in accordance with terms and conditions approved by the County Attorney, and

WHEREAS, The Suiteholder has agreed to pay an annual rental fee of \$20,500 for said suite, and

WHEREAS, The Suiteholder has also agreed to pay \$28,000 annually for advertising within the Arena, and

WHEREAS, Annual payments totaling \$51,000 are to be made as follows: a \$20,500 payment on or before July 1st preceding the contract year, and the remaining \$30,500 payment is due on or before December 15th during each contract year, and

WHEREAS, The term of said lease shall be for a three (3) year period, commencing on the 1st of the month that the TUC reopens for events following the COVID emergency through three years thereafter, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the MVP Health Care, Schenectady, NY 12305 to lease Corporate Suite No. 17 at the Times Union Center for a three (3) year period, commencing on the 1st of the month that the TUC reopens for events following the COVID emergency through three years thereafter, and, be it further

RESOLVED, That the County Attorney is authorized to approve said lease agreement as to form and content prior to the execution thereof, 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.

RESOLUTION NO. 62

AUTHORIZING AN AGREEMENT WITH SARATOGA RAILROAD ENGINEERING, PC REGARDING DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE VOORHEESVILLE RAIL CROSSING QUIET ZONE

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Saratoga Railroad Engineering, PC regarding design and construction inspection services for the Voorheesville Rail Crossing Quiet Zone in an amount not to exceed \$131,440 for a term commencing June 1, 2021 and ending December 31, 2022, and

WHEREAS, The Albany County Purchasing Department issued an Request for Proposal (RFP) for Design and Construction Inspection Services for the Voorheesville Rail Crossing Quiet Zone, and

WHEREAS, Three proposals were received in response to the RFP and Saratoga Engineering, PC was considered to have the best overall proposal after the Department rating process and therefore the best qualified proposer, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Saratoga Railroad Engineering, PC, Saratoga Springs, NY 12866 regarding design and construction inspection services for the Voorheesville Rail Crossing Quiet Zone in an amount not to exceed \$131,440 for a term commencing June 1, 2021 and ending December 31, 2022, and, be it further

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

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

RESOLUTION NO. 63

AUTHORIZING AGREEMENTS WITH DIRECT ENERGY BUSINESS REGARDING THE SUPPLY OF NATURAL GAS FOR VARIOUS COUNTY FACILITIES

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, By Resolution No. 428 for 2004, this Honorable Body established the Albany County Energy Advisory Group consisting of the Commissioner of the Department of Management and Budget, the Purchasing Agent and the Executive Director of the Water Purification District to act as the County's agent to obtain the lowest prices and the best terms pertaining to the purchase of natural gas and electric energy on behalf of the County, and

WHEREAS, The Executive Director of the Water Purification District indicated that Albany County will be participating in the Municipal Electrical and Gas Alliance (MEGA) program for the purpose of purchasing its natural gas, and

WHEREAS, The Albany County Energy Advisory Group has recommended awarding the contract to Direct Energy Business regarding the supply of natural gas for various county facilities in order to take advantage of the current market rate contingent upon the approval of the Albany County Legislature, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Direct Energy Business, Iselin, NJ, 08830 regarding the supply of natural gas for various County Departments at a fixed monthly rate of \$3.491 per Dekatherm for the term commencing November 1, 2024 and ending October 31, 2025, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Direct Energy Business regarding the supply of natural gas for the Water Purification District's North and South Plants, and the County Correctional Facility at a fixed daily rate of \$3.539 per Dekatherm for the term commencing November 1, 2023 and ending October 31, 2024, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements 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.

RESOLUTION NO. 64

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE
NEW YORK STATE COUNCIL ON THE ARTS REGARDING FACILITIES
UPGRADES AT THE SHAKER HERITAGE SITE**

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, The Executive Director of the Shaker Heritage Society has requested authorization to submit a grant application to the New York State Council on the Arts for a Capital Projects Grant in the amount of \$49,500 for a term commencing January 1, 2022 and ending December 31, 2022, and

WHEREAS, The Executive Director has indicated the grant funding will be matched by donations and pledges from foundations and private donors, and applied towards the installation of an energy efficient heating and cooling system, and to improve insulation in the 1848 Meeting House, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Council on the Arts for a Capital Projects Grant in the amount of \$49,500 for a term commencing January 1, 2022 and ending December 31, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application 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.

RESOLUTION NO. 65

AUTHORIZING AGREEMENTS WITH THE AFFORDABLE HOUSING PARTNERSHIP AND PLUGIN SOLUTIONS ONLINE, LLC FOR THE PURCHASE, INSTALLATION, AND MAINTENANCE OF AN ELECTRIC VEHICLE CHARGING STATIONS

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, The County Executive has indicated that Affordable Housing Partnership (AHP) has been awarded New York State Energy Research & Development Authority (NYSERDA) grant funding in the amount of \$25,760 to be utilized for the purchase and installation of two Electric Vehicle Charging Stations (EVCS) located at the Albany County Department of Health, 175 Green Street, Albany, NY 12202, and

WHEREAS, The County Executive has requested authorization to enter into agreements with the AHP, and Plugin Solutions Online, LLC regarding the purchase, installation and maintenance of a single EVCS for public use for a term commencing March 15, 2021 and ending March 14, 2022, and

WHEREAS, The County Executive has also indicated that Plugin Solutions Online, LLC will provide for the installation of the ChargePoint EVCS for the County fleet to be fully funded by NYSERDA's Cleaner Greener Communities program grant, and the National Grid Make-Ready Incentive program in the amount of \$14,029, for a term commencing March 15, 2021 and ending March 14, 2022, and

WHEREAS, Albany County will cover the cost of the Ongoing ASSURE maintenance and warranty program in the amount of \$940 per year by virtue of its existing account with ChargePoint for both EVCS, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Affordable Housing Project, Albany, NY, 12210 regarding the purchase and installation of a single ChargePoint EVCS located at the Albany County Department of Health, 175 Green Street, Albany, NY 12202, and, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Plugin Solutions Online, LLC, Valatie, NY 12184 for the installation of the ChargePoint EVCS at no cost to the County, but funded by the National Grid Make-Ready Incentive program in the amount of \$14,029, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements 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.

RESOLUTION NO. 66

AUTHORIZING THE SUBMISSION OF INTERCONNECTION APPLICATIONS TO NATIONAL GRID REGARDING THREE POTENTIAL SOLAR SITES IN ALBANY COUNTY

Introduced: 3/8/21

By Public Works Committee:

WHEREAS, By Resolution No. 14 for 2020, this Honorable Body authorized a Customer Project Commitment Agreement with the New York Power Authority (NYPA) regarding the development of photovoltaic systems with the option for battery storage at seven separate locations throughout the County, for a term commencing February 15, 2020 and ending February 14, 2023, and

WHEREAS, The County Executive has requested authorization to allow Siemens Industry, Inc. to submit interconnection applications to National Grid on behalf of the County regarding the radar tower property, Albany County Department of Public Works, and Cornell Cooperative Extension as potential solar sites, and

WHEREAS, The County Executive has also indicated that the interconnection applications would allow National Grid to complete a study of its infrastructure to give the project a point of connection to the grid, inform the engineer of any necessary infrastructure upgrades, and provide the associated estimated costs, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to allow Siemens Industry, Inc., Latham, NY 12110 to submit interconnection applications to National Grid on behalf of the County regarding the radar tower property, Albany County Department of Public Works, and Cornell Cooperative Extension as potential solar sites, for a term commencing February 15, 2020 and ending February 14, 2023, and, be it further

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

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

RESOLUTION NO. 67

AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SARATOGA COUNTY FOR THE REMOVAL OF INVASIVE SPECIES AT VARIOUS COUNTY LOCATIONS

Introduced: 3/8/21

By Conservation, Sustainability and Green Initiatives Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into a three-year agreement with Cornell Cooperative Extension of Saratoga County in collaboration with the Capital-Mohawk Partnership for Regional Invasive Species Management (PRISM) regarding the removal of Lesser Celandine at various County locations for a term commencing May 1, 2021 and ending April 30, 2024, and

WHEREAS, Lesser Celandine is an invasive perennial flowering plant species that has been detected near the northern parking lot in a drainage area of the Ann Lee Pond and needs to be removed, and

WHEREAS, The Commissioner has indicated that the agreement would allow PRISM to manually remove Lesser Celandine and other invasive species from various County locations this spring as well as to educate the Department staff on how to identify the invasive plant in the future at no cost to the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute a three-year agreement with Cornell Cooperative Extension of Saratoga County in collaboration with PRISM for the removal of Lesser Celandine and other invasive species at various County locations for a term commencing May 1, 2021 and ending April 30, 2024, and, be it further

RESOLVED, That said agreement be approved by the County Attorney as to form and content prior to the execution thereof, and, be it further

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

RESOLUTION NO. 68

AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SARATOGA COUNTY FOR THE REMOVAL OF INVASIVE SPECIES AT THE ANN LEE POND AND AMENDING THE 2021 DEPARTMENT OF ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET

Introduced: 3/8/21

By Conservation, Sustainability and Green Initiatives Committee:

WHEREAS, The Department of Economic Development, Conservation and Planning has requested authorization to enter into an agreement with Cornell Cooperative Extension of Saratoga County in collaboration with the Capital-Mohawk Partnership for Regional Invasive Species Management (PRISM) regarding the removal of Lesser Celandine at the Ann Lee Pond in an amount not to exceed \$7,200 for a term commencing March 1, 2021 and ending December 20, 2021, and

WHEREAS, Lesser Celandine is an invasive perennial flowering plant species that has been detected near the northern parking lot in a drainage area of the Ann Lee Pond and needs to be removed, and

WHEREAS, The Department has indicated that the agreement would allow PRISM to manually eradicate Lesser Celandine from the Ann Lee Pond Nature and Historic Preserve as a project to be performed by a certified applicator under a New York State Department of Environmental Conservation (NYSDEC) permit and pursuant to a variance from the County Pest Management Committee, and

WHEREAS, The Department has also indicated that a budget amendment is necessary to incorporate said funds into the 2021 Department of Economic Development, Conservation, and Planning Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute an agreement with Cornell Cooperative Extension of Saratoga County in collaboration with PRISM regarding the removal of Lesser Celandine at the Ann Lee Pond in an amount not to exceed \$7,200 for a term commencing March 1, 2021 and ending December 20, 2021, and, be it further

RESOLVED, By the Albany County Legislature, that the 2021 Department of Economic Development, Conservation, and Planning Budget is amended as follows:

Increase Revenue Account A3075 PRISM Partnership by \$7,200

Increase Appropriation Account A8020.4 by \$7,200 by increasing line item A8020 4 4046 Fees for Service by \$7,200

RESOLVED, That said agreement be approved by the County Attorney as to form and content prior to the execution thereof, and, be it further

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

RESOLUTION NO. 69

AUTHORIZING AN AGREEMENT WITH BERGMANN ASSOCIATES REGARDING THE DEVELOPMENT OF A COUNTYWIDE CLIMATE RESILIENCY PLAN

Introduced: 3/8/21

By Conservation, Sustainability, and Green Initiatives Committee:

WHEREAS, By Resolution No. 45 for 2019, this Honorable Body authorized an agreement with New York State Department of State to accept grant funding regarding the Countywide Climate Resiliency Grant Program in the amount of \$138,145, with no local share, for a term commencing March 12, 2021 and ending September 30, 2022, and

WHEREAS, The Albany County Executive has requested authorization to enter into an agreement with Bergmann Associates for the development of a Countywide Climate Resiliency Plan in the amount of \$111,015 for a term commencing March 12, 2021 and ending on September 30, 2022, and

WHEREAS, The County Executive has indicated that Bergmann Associates will identify and analyze the risks posed by climate change to key assets in the County and develop specific strategies and projects that will improve the physical, economic, and social resiliency of the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Bergmann Associates, Albany, NY 12205 for the development of a Countywide Climate Resiliency Plan in the amount of \$111,015 for a term commencing March 12, 2021 and ending on September 30, 2022, and, be it further

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

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

RESOLUTION NO. 70

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE FOR THE AGING REGARDING THE MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT GRANT

Introduced: 3/8/21

By Elder Care Committee:

WHEREAS, The Commissioner of the Albany County Department for Aging has requested authorization to enter into an agreement with the New York State Office for the Aging to accept Medicare Improvement for Patients and Providers Act (MIPPA) grant funding in the amount of \$18,474 for the term commencing September 1, 2020 and ending August 31, 2021, and

WHEREAS, The Commissioner indicated that this grant funding will be used to support health insurance information counseling and assistance programs for seniors within Albany County, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Office for the Aging, Albany, NY 12223 to accept MIPPA grant funding in the amount of \$18,474 for the term commencing September 1, 2020 and ending August 31, 2021, and, be it further

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

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

RESOLUTION NO. 71

APPROVING THE BYLAWS OF THE ADVANCE ALBANY COUNTY ALLIANCE

Introduced: 3/8/21
By Law Committee:

WHEREAS, By Resolution No. 395 for 2020, this Honorable Body authorized the establishment of the Advance Albany County Alliance (ACA), a Non-For-Profit local development corporation to promote local business and economic growth in the Capital Region, and

WHEREAS, The ACA must adopt Bylaws governing the rules and administration of the Board of Directors in order for them to carry out their duties, and

WHEREAS, These Bylaws are subject to the approval of the Albany County Legislature in order for them to be effective, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the Advance Albany County Alliance Bylaws, as annexed hereto, are hereby approved and adopted, and, be it further

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

**BY-LAWS OF THE
ADVANCE ALBANY COUNTY ALLIANCE LOCAL DEVELOPMENT
CORPORATION**

ARTICLE I – THE CORPORATION

SECTION 1. Purpose.

This Corporation was formed pursuant to Article 14 of the Not-for-Profit Corporation Law of the State of New York as a charitable not-for-profit corporation. The Corporation shall have such purposes as are now or hereafter set forth in its Certificate of Incorporation which shall include, but not be limited to, vigorously advancing the prosperity, growth and economic development of the residents and businesses of Albany County.

SECTION 2. Name.

The name of the corporation shall be as provided in its Certificate of Incorporation and is currently the “Advance Albany County Alliance Local Development Corporation” (the “Corporation”).

SECTION 3. Seal.

The Corporation’s seal shall be in the form of a circle and shall bear the name of the Corporation and the year of its organization, surrounding the picture of the Halfmoon, the ship captained by Henry Hudson as depicted on the seal for Albany County. The seal may be used by causing it, or a facsimile thereof, to be impressed or affixed or otherwise reproduced.

SECTION 4. Office.

The office of the Advance Albany County Alliance Local Development Corporation shall be located in Albany County at such location as designated by the Board of Directors.

ARTICLE II – NO MEMBERS

SECTION 1. Members.

The Corporation shall have no members.

ARTICLE III – BOARD OF DIRECTORS

SECTION 1. Power of Board.

The Corporation shall be overseen and governed by its Board of Directors who shall exercise oversight and control over the officers and staff of the Corporation. The Board shall have all powers conferred on Boards of not-for-profit corporations pursuant to New York State law, or any other law that is applicable to the Corporation.

SECTION 2. Number of Directors, Qualifications, Election and Term of Office.

(a) Number of Directors. The number of Directors shall be seven (7) Directors. Four (4) voting Directors shall be appointed by the Albany County Executive and three (3) voting Directors shall be appointed by the Chairperson of the Albany County Legislature. As used in these by-laws, the term "Entire Board" shall mean the total number of Directors entitled to vote which the Corporation would have if there were no vacancies on the Board.

(b) Qualifications. All Directors shall be residents of Albany County and an owner/principal/officer/senior employee of a non-government organization (including both for-profit and not-for-profit entities) which possesses a substantial business presence or is involved in economic development activities in Albany County. No Director shall hold an elected government office or be an employee of a government entity. Each Director shall be at least eighteen (18) years of age. The Corporation shall strive to have a Board composed of individuals which represent the diverse citizenry and businesses of Albany County.

(c) Ex Officio Directors. At all times, in addition to the number of Directors identified in Section 2(a) above, the Chairperson of the Albany County Legislature (or her/his designated representative) and the County Executive (or her/his designated representative) shall serve as Ex Officio Directors. Ex Officio Directors shall not possess voting rights. Whenever a certain number of Directors is required in these By-Laws (e.g. quorum, majority, determination of the Entire Board, etc.), only the number of Directors entitled to vote shall be used to determine such required number.

(d) Election and Term of Office. The initial Directors shall be the persons named in the Certificate of Incorporation and shall serve until the organizational meeting (pursuant to section 405 of the New York Not-For-Profit Law) of the Board. At the organizational meeting of the Board, the Directors appointed in accordance with Article III Section 2(a), which may or may not include any/all of the initial Directors named in the Certificate of Incorporation, shall commence their terms as Directors and these by-laws shall be adopted. For the purpose of staggering the Directors' terms of office, the terms of the Directors appointed pursuant to Article III Section 2(a) shall be divided into three classes as nearly equal in number as possible, and shall appoint each such class to a term of three (3) years or less as follows:

- i. One (1) class consisting of one (1) County Executive appointee and one (1) County Legislative appointee shall be appointed for a term of one (1) year;
- ii. One (1) class consisting of one (1) County Executive appointee and one (1) County Legislative appointee shall be appointed for a term of two (2) years; and
- iii. One (1) class consisting of two (2) County Executive appointees and one (1) County Legislative appointee shall be appointed for a term of three (3) years.

Except as otherwise specified in this Article III Section 2(d), all Director terms shall be for a period of three (3) years, thus accomplishing a succession of staggered three-year terms with approximately one-third (1/3) of the Board positions eligible for replacement/re-election each year. In the event of an increase or decrease in the number of Directors, additional Directors

may be elected to terms of one, two, or three years as may be necessary to maintain equality in numbers among the classes of directors. Directors may be elected to any number of consecutive terms.

(e) Vacancies. Vacancies occurring for any reason, including any vacancy occurring by reason of the death, resignation, or removal of a Director, are to be filled by the person or body who appointed the vacant position as described in Section 2 (a) of these by-laws. Each Director so elected shall serve until the next annual meeting and until such Director's successor is appointed.

SECTION 3. Independence.

(a) No Director shall serve as the Corporation's Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Comptroller, or hold any other staff/employee position while also serving as a Director.

(b) The majority of the Board shall be "independent", as such term is defined in Section 2825 of the New York Public Authorities Law.

(c) In accordance with Section 2825(3) of the New York Public Authorities Law, Directors, officers, and employees of the Corporation shall file annual financial disclosure statements with the Albany County Board of Ethics pursuant to Article 18 of the General Municipal Law.

SECTION 4. Resignation and Removal of Directors.

(a) Any Director may resign at any time on delivery of written notice to the Chairperson or the Secretary. Such resignation shall take effect at the time specified therein or, if no time be specified, then on delivery. The acceptance of such resignation shall not be necessary to make it effective.

(b) Any Director may be removed (i) for cause which reason shall be limited to such Director's neglect of duty or misconduct in office as determined pursuant to a written resolution adopted by a majority of the remaining members of the Board; or (ii) pursuant to any applicable provision of New York law.

SECTION 5. Organization.

At each meeting of the Board of Directors, the Chairperson shall preside. The Secretary as designated by resolution shall act as Secretary of the Board of Directors. In the event the Chairperson shall be absent from any meeting of the Board of Directors, the Vice Chairperson shall preside. In the event the Secretary shall be absent from any meeting of the Board of Directors, the Directors at the meeting shall select an alternative Director to serve as such.

SECTION 6. Place of Meetings.

The Board of Directors shall hold its meetings in Albany County, New York, or at such place or places within or without the State of New York as the Board of Directors may from time to time by resolution determine. Said meetings shall be open to the public. The Board may go into executive session as permitted by Section 105 of New York Public Officers Law.

SECTION 7. Annual Meetings.

The Annual Meeting of the Board of Directors shall be held in January or in such other month as the Board of Directors determines, at which time the Directors shall elect (as necessary) Directors and officers and transact such other business as may properly come before the meeting.

SECTION 8. Regular Meetings of Directors.

Regular meetings of the Board of Directors may be held at such place or places within Albany County as the Board may from time to time by resolution determine. Public notice of such meetings shall be provided in accordance with New York's Open Meetings Law.

SECTION 9. Special Meetings.

Special Meetings of the Board of Directors may be called by the Chairperson or on written demand of a majority of Directors. The Secretary, upon receiving the written demand, shall promptly give notice of such meeting to the other Directors, or if she/he fails to do so within five (5) business days thereafter, any Director signing such demand may give such notice. Notice shall be given by electronic mail or regular mail, and shall state the purposes, time and place of the meeting. Public notice of such meetings shall be provided in accordance with New York's Open Meetings Law.

SECTION 10. Waivers of Notice.

Notice of a meeting need not be given to any Director who submits a signed waiver of notice, whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to her or him.

SECTION 11. Quorum and Voting.

A majority of the Directors, not including vacancies, shall constitute a quorum for the conduct of business by the Board. If a quorum is not present at any meeting of the Board, a majority of the directors present may adjourn the meeting to another time without notice other than by announcement at the meeting, until such a quorum is present, except that notice of such adjournment shall be given to any directors who were not present at the time of the adjournment.

SECTION 12. Action by the Board.

Except as otherwise provided by statute or these By-Laws, the vote of a majority of the Directors present at the time of a vote, if a quorum is present at such time, shall be an act of the Board.

SECTION 13. Compensation.

Directors may be reimbursed for the expenses reasonably incurred by them in the performance of their duties, annual training, on-going development and/or conducting research.

SECTION 14. Annual Report to Board.

The Chairperson and Treasurer shall prepare and present no less than 60 days and not more than 90 days after the end of its fiscal year, an annual report, as required by Section 519 of the New York Not-For-Profit Corporation Law and Section 2800 of the Public Authorities Law. This annual report shall be also submitted to the New York State Authorities Board Office, Chairperson of the Albany County Legislature, Albany County Executive and filed with the minutes of the annual meeting of the Board. The report shall be verified by the Chairperson and Treasurer (or by a majority of the Directors) and certified by a firm of independent accountants selected by the Board and in accordance with Section 519 of the New York Not-For-Profit Corporation Law and Section 2800 of the New York Public Authorities Law.

SECTION 15. Annual Self-Evaluation.

Pursuant to Section 2824-a of the New York Public Authorities Law, the Board must provide the New York State Authorities Budget Office with a mission statement and proposed measurements report that describes the purpose and goals of the Corporation, a description of the stakeholders, its reasonable expectations of the Corporation, and a list of measurements by which performance of the Corporation and achievement of its goals will be evaluated. The Corporation shall publish a self-evaluation annual based on the stated measurements.

SECTION 16. Conflicts of Interest.

No Director, officer, staff, or key volunteer may acquire any interest, direct or indirect, in real property of the Corporation, in any real property to be acquired by the Corporation, or in any real property to be acquired from the Corporation. No Director, officer, staff, or key volunteer shall have any interest, direct or indirect, in any contract or proposed contract for materials or services.

SECTION 17. Interested Directors and Related Party Transactions.

The Corporation may not enter into any related party transaction unless the transaction is determined to be fair and reasonable and in the Corporation's best interest at the time of such determination. The Corporation shall adopt and maintain a policy for the approval or disapproval of Related Party Transactions.

SECTION 18. Annual Training.

Pursuant to Section 2824 of the Public Authorities Law, within one year of appointment to the Board, each Director must participate in state approved training regarding their legal, fiduciary, financial and ethical responsibilities as Directors. Directors shall participate in continued training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of the Corporation.

SECTION 19. Property Rights.

No Director shall, by reason of that position, have any rights to or interest in the property or assets of the Corporation.

ARTICLE IV – OFFICERS

SECTION 1. Number.

The officers of the Corporation shall consist of a Chairperson (or President), Vice-Chairperson, Secretary and Treasurer, and such other officers as the Board of Directors, may, in its discretion, elect. Any two or more offices may be held by the same person, except the offices of Chairperson and Treasurer.

SECTION 2. Duties.

2.1. **Chairperson (or President) of the Board.** The Chairperson/President of the Board will preside at all regular, annual and special meetings of the Board of Directors. The Chairperson/President is charged with the general responsibility of carrying out the policies of the Board between meetings of said Board. In general, she/he shall supervise the business and affairs of the Corporation, and perform all duties incident to the office of Chairperson/President and such other duties as may be prescribed by the Board of Directors from time to time. The Chairperson/President shall sign, as authorized by the Board of Directors, any deeds, mortgages, bonds, contracts or other instruments which the Board of Directors has authorized to be executed, except in those instances where approval of others or the signature of others is expressly required or designated by these By-Laws, authorized by a resolution adopted by the Board, or by any law of the State of New York.

2.2. **Vice Chairperson/Vice-President.** In the absence of the Chairperson/President or in the event of her/his inability, removal, or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson/President, and when so acting, shall have all the powers of and be subject to all restrictions placed upon the Chairperson/President. The Vice Chairperson shall perform such duties as from time to time may be assigned to her/him by the Chairperson/President or by the Board of Directors.

2.3. **Treasurer.** The Treasurer or her/his Board-approved designee shall receive, hold and be responsible for all financial matters and funds of the Corporation and shall deposit said funds in the name of the Corporation in such banks or banking institutions as directed to by the

Board of Directors. The Treasurer shall keep, or cause to be kept, a true and accurate account of all receipts and disbursements and said books of account shall be open to inspection of any Director at the office of the Corporation upon request. The Treasurer shall also perform all other duties customarily incident to the office of the Treasurer and such other duties as from time to time may be assigned to the Board.

2.4 Secretary. The Secretary or his/her Board-approved designee shall keep, or cause to be kept, an accurate record of all proceedings of the meetings of the Board of Directors. The Secretary shall also be responsible for proper safe keeping of the papers and correspondence of the Corporation and as custodian of the corporate records, shall ensure that the Corporation remains in good standing under the laws of the State of New York, reporting on that subject to the Chairperson. Further, the Secretary shall with the Chairperson execute any formal documents requiring the presence of the corporate seal. The Secretary shall give notice, or cause such notice to be given, to the Directors of their respective meetings and shall generally perform all duties usually appertaining to the office of Secretary. The Board of Directors may designate an assistant secretary.

SECTION 3. Election.

All officers shall be elected at the annual meeting of the Board of Directors scheduled to occur prior to the expiration of their respective term. Officers may succeed themselves.

SECTION 4. Term of Office.

All officers shall hold office until their successors have been duly appointed or until removed as hereinafter provided.

SECTION 5. Additional Officers.

Additional officers may be selected for such period, have such authority and perform such duties, either in an administrative or subordinate capacity, as the Board of Directors may from time to time determine.

SECTION 6. Resignation.

Any officer may resign at any time by giving written notice to the Chairperson or the Secretary. Any such resignation shall take effect upon receipt of said notice, or the effective date in said notice. The acceptance of such resignation shall not be necessary to make it effective.

SECTION 7. Removal of Officers.

Any officer may be removed by majority vote of the Directors, with or without cause, at any time.

SECTION 8. Vacancies.

A vacancy in any officer position shall be filled by the majority vote of the Directors.

ARTICLE V – CHIEF EXECUTIVE OFFICER

SECTION 1. Chief Executive Officer.

The Corporation shall select and retain a Chief Executive Officer by resolution of the Board. The Chief Executive Officer shall serve at the pleasure of the Board, and may be removed for any or no cause by resolution of the Board.

SECTION 2. Duties and Responsibilities of Chief Executive Officer.

The Chief Executive Officer shall report to the Chair of the Board of the Corporation, and to the Board at all regular and special meetings of the Board of Directors. She or he shall have general supervision and management of the Corporation and all Corporation staff and employees shall report directly to the Chief Executive Officer. Except as may otherwise be authorized by a resolution adopted by the Board, the Chief Executive Officer shall: (a) cosign all purchase orders and instruments and check over certain dollar thresholds as is established by the Corporation's procurement policy, or by resolution of the Board; (b) prepare the annual budget of the Corporation with the consultation and cooperation of the Audit and Finance Committees and the Chairman of the Board, for submission to the Board for approval; (c) lead the Corporation to carry out its Mission Statement and fulfill its public purposes; (d) ensure that the Corporation complies with all financial and other reporting requirements imposed by law, including those requirements in the New York Public Authorities Law; and (e) perform all other duties customarily incident to the office of a Chief Executive Officer (or that of the most senior non-Director position) of a not-for-profit corporation, New York State local development corporation, or local public authority of the State of New York and such other duties as may be assigned by the Board.

ARTICLE VI – COMMITTEES

SECTION 1. Committees.

The committees of the Corporation shall include the following: Executive Committee, Finance Committee, Audit Committee and Governance Committee.

(a) Members of committees shall be appointed by not less than a majority vote of the Entire Board, for a one (1) year term or, in the case of appointments due to vacancy(ies), from the time of appointment, and ending at the close of the fiscal year.

(b) Each committee must consist of at least three independent (3) Directors.

(c) The Board shall adopt a Committee Charter to identify the purpose, function, procedures of the committees, including any requirements pursuant to the New York Public Authorities Law.

SECTION 2. Other Committees.

The Board of Directors, by resolution, may designate from among its members other committees consisting of three (3) or more Members.

SECTION 3. Meetings and Action of Committees.

Committee meetings shall be held at such time and place as shall be fixed by the respective committee Chair or by vote of a majority of all of the members of the committee.

SECTION 4. Quorum and Manner of Acting.

A majority of the members of a committee shall constitute a quorum for the transaction for business and the vote of a majority of the members of the committee shall be an act of the committee.

ARTICLE VII – CONTRACTS, CHECKS, DRAFTS AND BANK ACCOUNTS

SECTION 1. Execution of Contracts.

The Board, except as otherwise provided in these By-Laws, may authorize any officer or officers, staff member or members, agent or agents in the name of and on behalf of the Corporation, to enter into any contract or execute and deliver any instrument and such authority may be general or confined to specific instances but, unless so authorized by the Board of Directors or expressly authorized by these By-Laws, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable pecuniarily in any amount for any purpose.

SECTION 2. Loans.

No loans shall be contracted on behalf of the Corporation unless specifically authorized by the Board.

SECTION 3. Checks, Drafts, etc.

All checks, drafts and other orders for the payment of money out of the funds of the Corporation, shall be signed by the Chief Executive Officer, Chair or Treasurer on behalf of the Corporation in such manner, from time to time, as determined by these By-Laws, by the Corporation's procurement policy, or by action of the Board.

SECTION 4. Deposits.

All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in banks, trust companies or other depositories or in such other investments as the Board may select.

SECTION 5. Investments.

The Board may authorize the Corporation to contract with an investment advisor and custodian to manage its investments in accordance with an investment policy established by the Board.

ARTICLE VIII – NON-DISCRIMINATION

In all of its dealings, neither the Corporation nor its duly authorized agents shall discriminate against any individual or group for reasons of race, color, creed, sex, age, culture, national origin, marital status, sexual preference, mental or physical handicap, or any category protected by state or federal law.

ARTICLE IX – INDEMNIFICATION & INSURANCE

SECTION 1. Authorized Indemnification.

Unless clearly prohibited by law or Section 2 of this Article, the Corporation shall indemnify any person (“Indemnified Person”) made, or threatened to be made, a party in any action or proceeding, whether civil, criminal, administrative, investigative or otherwise, including any action by or in the right of the Corporation, by reason of the fact that she or he (or her or his executor or administrator) whether before or after adoption of this Section:

- (a) is or was a Director, officer or employee of the Corporation; or
- (b) is serving or served in any capacity at the request of the Corporation as a director or officer of any other corporation, or any partnership, joint venture, trust, employee benefit plan or other enterprise.

The indemnification shall be against all judgments, fines, penalties, amounts paid in settlement (provided the Corporation shall have consented to such settlement) and reasonable expenses, including attorney’s fees and costs of investigation, incurred by any Indemnified Person with respect to any such threatened or actual action or proceeding, and any appeal thereof.

SECTION 2. Prohibited Indemnification.

The Corporation shall not indemnify any person if a judgment or other final adjudication adverse to the Indemnified Person (or to the person whose actions are the basis for the action or proceeding) establishes, or the Board in good faith determines, that such person’s acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated or that she or he personally gained, in fact, a financial profit or other advantage to which she or he was not legally entitled.

SECTION 3. Advancement of Expenses.

The Corporation shall, on request of any Indemnified Person who is or may be entitled to be indemnified by the Corporation, pay or promptly reimburse the Indemnified Person's reasonably incurred expenses in connection with a threatened or actual action or proceeding prior to its final disposition. However, no such advancement of expenses shall be made unless the Indemnified Person makes a binding, written commitment to repay the Corporation, with interest, for any amount advanced for which it is ultimately determined that he or she is not entitled to be indemnified under the law or Section 2 of this Article. An Indemnified Person shall cooperate in good faith with any request by the Corporation that common legal counsel be used by the parties to such action or proceeding who are similarly situated unless it would be inappropriate to do so because of actual or potential conflicts between the interests of the parties.

SECTION 4. Determination of Indemnification.

Before indemnification can occur the Board must explicitly find that such indemnification will not violate the provisions of Section 2 of this Article. No Director with a personal interest in the outcome, or who is a party to such actual or threatened action or proceeding concerning which indemnification is sought, shall participate in this determination. If a quorum of disinterested Members is not obtainable, the Board shall act only after receiving the opinion in writing of independent legal counsel that indemnification is proper in the circumstances under than applicable law and these By-Laws.

SECTION 6. Binding Effect.

Any person entitled to indemnification under these By-Laws has a legally enforceable right to indemnification, which cannot be abridged by amendment of these By-Laws with respect to any event, action, or omission occurring prior to the date of such amendment.

SECTION 7. Director and Officer Liability Insurance.

The Corporation may purchase such insurance (or any other type of insurance) in connection with this Article as authorized and approved by the Board. To the extent permitted by law, such insurance may insure the Corporation for any obligation it incurs as a result of this Article or operation of law and it may insure directly the Directors, officers, employees, or volunteers of the Corporation for liabilities against which they are not entitled to indemnification under this Article as well as for liabilities against which they are entitled or permitted to be indemnified by the Corporation.

SECTION 8. Nonexclusive Rights.

The provisions of this Article shall not limit or exclude any other rights to which any person may be entitled under law or contract. The Board is authorized to enter into agreements on behalf of the Corporation with any Director, officer, employee or volunteer providing them rights to indemnification or advancement of expenses in connection with potential indemnification in addition to the provisions therefore in this Article, subject in all cases to the limitations of Section 2 of this Article.

ARTICLE X – GENERAL

SECTION 1. Loans to Directors and Officers.

The Corporation, either directly or indirectly, including through any subsidiary, is prohibited from extending or maintaining credit, arranging for the extension of credit or renewing any extension of credit, in the form of a personal loan to or for any Director, officer, employee or to any other company, corporation, firm, association or other entity in which one or more of the Directors, officers or employees of the Corporation are members, director or officers or hold a substantial financial interest.

SECTION 2. Books and Records.

These shall be kept at the office of the Corporation: (1) correct and complete books and records of accounts; (2) minutes of the proceedings of the Board and committees; (3) a current list of the Directors, committee members and officers of the Corporation; (4) a copy of the Certificate of Incorporation, as amended; (5) a copy of these By-Laws, as amended; and (6) any other records required by law to be so kept.

SECTION 3. Freedom of Information Law.

The Corporation is subject to Freedom of Information Law, and shall comply with the Freedom of Information Law of the State of New York, as set forth within Article 6 of the Public Officers Law.

SECTION 4. Open Meetings Law.

The Corporation is subject to Open Meetings Law, and shall comply with the Open Meetings Law of the State of New York as set forth within Article 7 of the Public Officers Law.

SECTION 5. Public Authorities Accountability Act.

The Corporation is subject to the Public Authorities Accountability Act of 2005 (the "PAAA") and shall comply with the PAAA, as set forth within the New York State Public Authorities Law.

SECTION 6. Electronic Signatures.

Wherever a written instrument is required to be executed hereunder, an electronic signature, to the extent permitted by applicable law, shall be deemed to be a written signature.

ARTICLE XI – FISCAL YEAR

The fiscal year of the Corporation shall commence on January 1 of each calendar year and end on the last day of December.

ARTICLE XII – RULES OF ORDER AND BYLAW CHANGES

SECTION 1. Rules of Order.

Meetings of the Members and the Board of Directors and its committees shall be governed by Robert's Rules of Order, except in cases otherwise provided for by these By-Laws.

SECTION 2. Changes to the Certificate of Incorporation and By-Laws.

The Certificate of Incorporation and these By-Laws may be amended, repealed or adopted by resolution of the Albany County Legislature.

RESOLUTION NO. 72

AMENDING RESOLUTION NO. 40 FOR 2018 REGARDING ELECTRONIC MEDICAL RECORDS SOFTWARE FOR THE ALBANY COUNTY DEPARTMENT OF HEALTH

Introduced: 3/8/21
By Health Committee:

WHEREAS, By Resolution No. 40 for 2018, this Honorable Body authorized an agreement with OCHIN, Inc. regarding Electronic Medical/Health Records in the amount of \$192,993 for the term commencing January 1, 2018 and ending December 31, 2022, and

WHEREAS, The Commissioner of the Albany County Department of Health has requested an amendment to the agreement with OCHIN, Inc. to include an additional \$74,000, and

WHEREAS, The Commissioner has indicated that during installation, staff required additional training that was not budgeted for and there was an uptick in client visits for a period of time, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 40 for 2018 is hereby amended to include an additional \$74,000 to reflect a new total amount of \$266,993 rather than \$192,993, and, be it further

RESOLVED, That the County Attorney is authorized to approve said amendment 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.

RESOLUTION NO. 73

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 HAZMAT GRANT AND AMENDING THE 2021 SHERIFF'S OFFICE BUDGET

Introduced: 3/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with the New York State Division of Homeland Security and Emergency Services in order to accept the fiscal year 2019 Hazardous Materials (HazMat) Grant funding in an amount of \$150,000 for a term commencing September 1, 2020 and ending August 31, 2022, and

WHEREAS, The Albany County Sheriff has indicated that the Sheriff's Office will act as fiduciary to provide the HazMat teams in Albany, Rensselaer, Saratoga, and Schenectady Counties with funding for training, equipment acquisition, equipment calibration and maintenance costs for HazMat trailers, and

WHEREAS, The Sheriff has also requested a budget amendment to incorporate the 2019 HazMat Grant funding into the 2021 Sheriff's Office Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services in order to accept the fiscal year 2019 HazMat Grant funding in an amount of \$150,000 for a term commencing September 1, 2020 and ending August 31, 2022, and, be it further

RESOLVED, That the 2021 Sheriff's Office Budget is amended as follows:

Increase Revenue Account A3306 Homeland Security by \$150,000

Increase Appropriation Account A3110.2 by \$130,000 by increasing Line Item A3110 2 2750 Security Equipment by \$130,000

Increase Appropriation Account A3110.4 by \$20,000 by increasing Line Item A3110 4 4046 Fees for Services by \$20,000

and, be it further

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

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

RESOLUTION NO. 74

**APPROVING THE 2021 ALBANY COUNTY STOP-DWI PLAN AND
AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE
GOVERNOR'S TRAFFIC SAFETY COMMITTEE**

Introduced: 3/8/21

By Public Safety Committee:

WHEREAS, The Coordinator of the Albany County STOP-DWI Program has prepared a STOP-DWI Plan pursuant to the New York State Vehicle and Traffic Law, and

WHEREAS, The proposed STOP-DWI Plan for 2021 must be certified by the Albany County Legislature and approved by the New York State Department of Motor Vehicles (DMV), and

WHEREAS, Upon approval by the New York State DMV, the County will receive \$629,507 for multi-agency police enforcement, prosecution, probation, rehabilitation, public information, and education in an effort to reduce alcohol-related crashes, injuries and deaths, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2021 Albany County STOP-DWI Plan is hereby ratified and approved, and, be it further

RESOLVED, That the County Executive is authorized to enter into any and all necessary agreements regarding the implementation of the approved 2021 STOP-DWI Plan, including agreements for the receipt of \$629,507 from the New York State DMV for a term commencing October 1, 2020 and ending September 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve any agreements associated with the aforementioned approved plan 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.

RESOLUTION NO. 75

**APPROVING THE POLICE REFORM AND REINVENTION PLAN AS
SUBMITTED BY THE ALBANY COUNTY SHERIFF'S OFFICE**

Introduced: 3/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff's Office has prepared a plan for police reform and reinvention in accordance with the mandates of Governor Cuomo's June 2020 Executive Order Number 203, and

WHEREAS, The proposed Police Reform and Reinvention Plan must be certified by the Albany County Legislature, and

WHEREAS, This plan was drafted following a collaborative process with agency and community input collected by holding meetings, accepting electronic submissions, attending forums, conducting a public survey in partnership with the National Center for Security and Preparedness at the University at Albany and posting this plan on the agency website for public comment, now, therefore be it

RESOLVED, By the Albany County Legislature that the Albany County Sheriff's Office Police Reform and Reinvention Plan is hereby ratified and approved, as annexed hereto, 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.



MICHAEL S. MONTELEONE
EXECUTIVE UNDERSHERIFF

SHAWN P. NOONAN
CHIEF DEPUTY

ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (518) 487-5400
WWW.ALBANYCOUNTYSHERIFF.COM

CRAIG D. APPLE, SR.
SHERIFF



WILLIAM M. RICE
UNDERSHERIFF

LEON A. BORMANN
CHIEF DEPUTY

In June of 2020, Governor Andrew Cuomo signed Executive Order Number 203, instructing all police agencies as defined by New York State law, to conduct reviews aimed at reform and reinvention. These reviews are to be in collaboration with stakeholders drawn from the community to which each agency provides primary police services. The Governor further defined specific groups within each community which must be represented amongst the stakeholders. In accordance with this order, the Albany County Sheriff's Office has been conducting a comprehensive review of its policies, procedures, training, community programs, and methods which is in addition to the standard agency review conducted each year as part of standard protocol. This review employs evidence based policing strategies as defined by the State in the executive order as well as in their New York State Police Reform and Reinvention Collaborative Guidebook. Said strategies have been developed further during the course of this review based upon the ongoing research and through information gained from webinars and courses led by experts in the field organized by the New York State Division of Criminal Justice Services.

As part of this agency's review process and in accordance with the Governor's order, the Albany County Sheriff's Office has drafted a preliminary plan to continue successful strategies and methods while improving others to meet current societal and community needs. These improvements are based upon the principles of procedural justice and seek to employ evidence based policing strategies where they are not already in use. This preliminary draft plan has been compiled following a review of agency policy, practices and strategies along with discussions with agency working group members and community stakeholders. The agency working group consists of civilian support staff, deputies, supervisors, investigators, and command staff who initiated the review process and then met with the community stakeholders. Each stakeholder was selected to represent their communities based upon their specific qualifications and their positions within

designated community groups as required by the Governor's order. The community stakeholders were as follows: Albany County District Attorney David Soares; Albany County Public Defender Hon. Stephen Herrick; Assistant Professor of Law and Director of the Government Law Center at Albany Law School Ava Ayers; Albany County Legislators Victoria Plotsky (District 38 Clarksville), Christopher Smith (District 39 Berne), and George Langdon IV (District 37 Selkirk); Westerlo Town Councilwoman Amie Burnside; Rensselaerville Democratic Party Leader Herbert Joseph; local faith leaders and representatives Pastor David Trayhnam of the Sweet Pilgrim Baptist Church in Albany and Karol Harlow resident of the Town of Berne and member of the Baha'i Faith; community based non-profit group leaders Jamil Hood of Hoods House of Hoops in Albany, Richard Harris of 100 Black Men based in Albany, and Stephanie Lao of Catholic Charities; and local community representatives Dr. Brian Bailey, Ed.D. Superintendent of Schools for the Ravena Coeymans Selkirk School District and resident of the Town of Knox, Lisa DeGroff of the Town of Coeymans, and Aaron Kelsey the Public Affairs Officer for Lafarge Holcim in Ravena.

Although this agency ensured that it met all the requirements of the Executive Order, it also extended its community collaboration efforts beyond that which was strictly set forth in the order. The Sheriff and members of the agency working group worked with other community and legislative partners in addition to the aforementioned formal group of Executive Order 203 Stakeholders and developed new relationships through this collaboration. Among these other efforts were participation in a community forum held by our stakeholder, Pastor David Trayhnam, and assisting the Honorable Wanda Willingham in hosting a community panel to address the rise in area gun violence as well as other community matters in and around the City of Albany. These forums included other area law enforcement partners; the District Attorney; County and local legislators; and community, neighborhood, and religious leaders in an effort to engage with as many people as are safely and practically possible given the restraints imposed by the current public health emergency. Further input was then sought directly from the community itself through a community survey. The combined information and insights gathered were used to draft a plan which was then offered for public comment on the agency's public website. Members of the community were encouraged to submit their constructive comments relative to the plan to this agency for consideration at contactsheriff@albanycounty.com. After consideration of the community input, this final plan for

agency reform and reinvention is being submitted to the Albany County Legislature for adoption as a County Resolution by April 1, 2021 pursuant to the Governor's executive order.

Please be advised that the Albany County Sheriff's Office currently intends to institute the following plan to pursue improvements to agency policy and practices to meet the current concerns of the community. While recognizing the broader concerns being voiced throughout our nation at this time, the primary focus is currently on how to best address those concerns brought forth by the communities directly policed by this agency as well as those we encounter in adjoining municipalities within the county. Beyond that, the Sheriff's Office prides itself on being a forward thinking agency and will do its best to keep pace with the evolving societal concerns both locally and nationally and provide the best public service to our residents. A formal summary report documenting the review process itself is also being drafted and the Sheriff's Office remains committed to accepting and considering public input and engaging in collaborative efforts in the future. This plan is being submitted at this time to meet the requirements and timeline set forth in the Governor's Executive Order 203 as well as the demands of the County Legislature's calendar and legislative process. It does not mean the end of this agency's efforts to work with the community, but simply serves as a formal response to the Governor's Executive Order and a useful foundation upon which to build future partnerships and growth.

- 1) As a New York State accredited police agency since 2003, the Albany County Sheriff's Office complies with or exceeds all standards established by the New York State Law Enforcement Accreditation Program. This includes a formal review of agency policies once a year by unit commanders as well as on going reviews and updates by the Office of Professional Standards as needed throughout the year. Additionally, both training and legal updates are issued as they are issued by the New York State Division of Criminal Justice Services, the state's Municipal Police Training Counsel, and the New York State Sheriff's Association. Accordingly, the Albany County Sheriff's Office commits to remaining a New York State Accredited Agency and continuing its efforts to exceed those standards whenever possible. Moreover, reviews of policy and practice, including working in collaboration with community partners, shall continue in the future as they did prior to the Governor's executive order.

- 2) Among the numerous policy updates made over the past year or so, both before and after the Governor's Executive Order 203, was the agency use of force policy. This policy was updated several times in 2019 and 2020 in accordance with state legislative reforms, accreditation program requirements, and Municipal Police Training Council model policies. Updates included such things as expanded definitions and formally defining in writing topics like objective reasonableness and steps for determining the same, use of force against restrained subjects, responsibilities of members who witness excessive force, strictly prohibiting chokeholds, expanded reporting requirements, and requiring the documentation and reasonable administering of aid to those complaining of injury or mental health emergencies. Most of these topics were already covered by agency training and practice, but they are now formally part of written agency policy. Chokeholds for instance were already not utilized or part of agency training nor permitted outside of instances where deadly force was already authorized. These updates now formally made such practice part of written policy. Similarly, use of force incidents were already reported and injuries documented by agency reports and the incidents reviewed as standard procedure by the Office of Professional Standards. Expanded reporting requirements established by New York State for data collection and analysis have now been implemented as part of the ongoing statewide reforms. The Sheriff's Office affirms its dedication to maintaining or exceeding the state's standards for policy and training relative to the use of force by members.
- 3) The Albany County Sheriff's Office recognizes the desire for accountability and dedication to maintaining trust with all groups which make up the communities which we serve. The agency is also aware of the need to continually reinforce a positive perception of the agency and its members, reinforce existing community bonds and forge new relationships to maintain confidence in the agency. In addition to maintaining state accreditation and exceeding standards where possible, the Sheriff's Office has taken measures to boost confidence and accountability. The Sheriff instituted a Body Worn Camera Program for both the Corrections Division and the Law Enforcement Division in 2019 which was paid for through grants obtained by this agency. These devices are compatible with and

supplement the in car dash cameras used by this agency for many years. As a part of his continued dedication to fostering trust in his agency, the Sheriff expanded this program in 2020 to include members assigned to the agency's Emergency Response Team, Criminal Investigations Unit, and outside agency task forces. Policy was amended to establish new guidelines for when these members will be required to wear a body worn camera including during arrests and warrant executions. The agency also established a new Discovery Unit to expand the former Records Unit to enable fast and efficient release of information as required by the new Discovery Law reforms instituted by New York State.

- 4) The current agency mission statement will be updated to formally reflect its established recognition that principled policing practices and training are a core belief and a guiding principle. This agency remains committed to engaging the communities which it polices and working in partnership with them to identify and address their specific needs. It also recognizes their desire for accountability as well as innovative support for community needs independent of the primary police function, such as mental health and substance abuse support, re-entry and counseling services, and alternatives to enforcement and incarceration. Although many of these topics are primarily under the purview of the courts or legislative sectors of our government, this agency is committed to addressing them and innovating where applicable. Several examples of this are the Medically Assisted treatment program at our correctional facility in an effort to address the opioid crisis and reduce recidivism by ensuring unimpeded access to treatment and recovery. The Sheriff's Homeless Improvement Program (SHIP) also seeks to ease re-entry by providing shelter, counseling, advice, and training after release as well as for those members of the community for whom a traditional shelter is not a proper fit. This program has proven a success thus far and not only seeks to remove obstacles, but provide benefits which will hopefully ultimately reduce recidivism rates, support our communities, and reinforce a positive image for this agency and thereby garner trust. Two programs currently being developed are Albany County Crisis Officials Responding and Diverting (ACCORD) and the Sheriff's Mental Health Assessment Response Team (SMART) which seek to improve access to mental health services by partnering with emergency medical services and social

workers. Applicable calls will be identified by emergency dispatchers at the time of the call and if safe, the aforementioned non-police assets will be dispatched to handle the matter and render aid.

- 5) The Albany County Sheriff's Office has a standard policy based system for receiving complaints or concerns about members from both within and without the agency. Complaints can be received in various ways including through a special email established to allow community members to voice concerns to the Sheriff. Additionally, the agency website contains a description and contact number for the Office of Professional Standards which oversees the internal affairs process for the Sheriff's Office. Although many matters may be addressed and corrected by means of non-disciplinary counseling, others require formal disciplinary steps. The County endorses a system of progressive discipline to address deviations from policy which can range from formal reprimands to termination in accordance with policy, collective bargaining agreements, and the totality of circumstances related to the specific incident. The Albany County Sheriff's Office recognizes the need to project a positive, accountable, and respectful image to strengthen legitimacy and garner trust and confidence amongst those it serves and protects. Moreover, it is recognized that this must be demonstrated and practiced by all levels of the agency in order to be successful and set an example for all members.
- 6) The Albany County Sheriff's Office will explore possible updates to the current records management and reporting systems to enable greater demographic data collection and analysis capabilities. This may provide greater data for comparison and analysis which could assist in making policy and deployment decisions in keeping with evidence based policing. Such updates will be pursued as deemed effective and feasible.
- 7) The Albany County Sheriff's Office recognizes that each community has unique concerns, as do many of the groups and neighborhoods of which they are made. Accordingly, all efforts will be made to base decisions on pertinent research rather than just standard, generalized "industry wide" practices. Furthermore, decisions will be re-evaluated after a time to ensure that they are truly effective for our communities. Current reviews and assessments will be expanded as needed to accomplish this goal.

- 8) The Albany County Sheriff's Office has a standard system, defined by policy, by which it monitors employee performance and addresses any issues or concerns. This includes a robust training system, digital training tracking software, remedial training as needed, and non-disciplinary counseling to address corrective actions if necessary. Current performance evaluations for line staff conducted annually and after gaining new assignments shall be continued in accordance with agency policy and New York State Law Enforcement Accreditation Program standards. The course of instruction for new recruits includes a period of field training prior to graduation which includes daily observation reports and a final successful completion of the training program. The potential for expanding or improving the monitoring of members' performance and progress in keeping with an evidence based policing model will be explored. This is intended to ensure that members are performing their duties in keeping with the principles of this agency, meeting the needs of their communities, and to address minor performance issues before they become problematic.

- 9) The Albany County Sheriff's Office renews its commitment to pursuing innovative training methods tailored towards the needs of its members and the communities it serves. Such work is exemplified by the establishment in 2019 of the Sheriff's Public Safety Training Institute. This allowed for greater input and control of the training process for new deputy sheriffs while still meeting all New York State Department of Criminal Justice Services standards for newly certified police officers. Not only are recruits now better prepared to serve and protect their communities upon graduation, but they are imbued with the principles of procedural justice from the first day of training. Among other subjects, implicit bias, cultural diversity, crisis intervention, wrongful convictions and de-escalation training shall continue to be taught and updated as necessary. New York State Department of Criminal Justice Services instructors will continue to be utilized for use of force training to ensure that recruits are instructed in accordance with the latest state standards. Although they may change over time, outside partners such as the Albany Law School, the Legal Project, County Department of Health, and Offices of the Public Defender and

District Attorney will continue to be engaged to instruct recruits to provide an array of perspectives beyond just those of law enforcement professionals.

10) Efforts will be made to increase the availability and frequency of already regular in-service training. These efforts will stress repetitive reality based training scenarios and de-escalation techniques which seek to continually reinforce the proper techniques and create a proper mindset for members. New techniques and technology such as the recently acquired MILO training simulator will be used, and upgraded over time if possible, to provide the most realistic yet safe environment in which members can learn. Such technology can also serve as a means of identifying problems or weaknesses that may lead to issues in the future and enable them to be addressed before they manifest in real life scenarios. Information reviewed during the course of this process has also demonstrated the greater effectiveness of repetitive training and regular performance monitoring to create cultural changes in law enforcement agencies and forming a new mindset for modern policing.

11) The Albany County Sheriff's Office will continue to provide community programs and support services. This agency's Community Resource Unit and School Resource Officers will continue their community engagement efforts backed by the newly created Bias Crimes Unit. These recently reassigned investigators will pursue bias crimes and matters involving discrimination alongside the other agency investigative units including the Office of Professional Standards and the Criminal Investigations Unit. The bias crimes investigators will also proactively engage the community, as well as specific groups therein, to remain abreast of the specific and ever evolving concerns in each. Moreover, this agency will also continue to support and assist community based programs and initiatives that arise and develop outside of this agency. This will not only serve to provide further support to the community and reinforce confidence, but also strengthen existing relationships and help forge new ones. One such new relationship was with Jamil Hood and his community center which he hopes to help not only youth through sports and educational support, but also senior members of the community. He and other community leaders engaged through forums like Jamel Muhammad President of Promise Youth in

Development, LLC were able to reinforce the need for collaboration with community liaisons who can reach those who do not trust or otherwise wish to engage directly with law enforcement or those outside of their specific community. These liaisons not only serve as positive role models, but provide examples of success by those who faced the same adversities and environment growing up.

RESOLUTION NO. 76

**AUTHORIZING AN AGREEMENT WITH AETNA TO ADMINISTER THE
MEDICARE ADVANTAGE PLAN FOR MEDICARE ELIGIBLE RETIREES**

Introduced: 3/8/21

By Personnel Committee:

WHEREAS, The Commissioner of the Department of Human Resources, in consultation with their benefits consultant Locey & Cahill, L.L.C. issued an Request for Proposals (RFP) regarding the administration of the Albany County Medicare Advantage Plan for Medicare eligible employees, and

WHEREAS, After the RFP process, six (6) proposals were received, and after a review by the Department of Human Resources, in consultation with their benefits consultant Locey & Cahill, L.L.C. and the Albany County Purchasing Agent, they have recommended Aetna to serve as administrator of the Albany County Medicare Advantage Plan commencing January 1, 2021 and ending December 31, 2023, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the County Executive is authorized to enter into an agreement with Aetna, Hartford, CT 06156 regarding the administration of the Albany County Medicare Advantage Plan for Medicare eligible employees for a term commencing January 1, 2021 and ending December 31, 2023, at rates set forth in their proposal, and, be it further

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

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

RESOLUTION NO. 77

AMENDING THE 2021 DEPARTMENT OF HEALTH BUDGET: ADMINISTRATIVE ADJUSTMENTS

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The Commissioner of the Department of Health has requested authorization to amend the 2021 Department of Health Budget to increase funding for per-diem COVID-19 Investigator positions and a Public Health Technician to account for a contractual step increase, and

WHEREAS, The Commissioner has indicated that, due to the surge in COVID-19 cases, these per-diem employees are working 35 hours per week, and requests \$140,000 be transferred to cover these expenses through June 2021, and

WHEREAS, The Commissioner has indicated that these amendments are budget neutral, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the 2021 Department of Health Budget is hereby amended as follows:

Decrease Appropriation Account A4010.1 by \$125,341 by decreasing the following Line Items:

Decrease Line Item A4010 1 2146 003 Disease Intervention Specialist I by \$55,500 with an annual salary of \$58,702

Decrease Line Item A4010 1 1903 001 Asst Director of PH Nursing by \$29,241 with an annual salary of \$57,834

Decrease Line Item A4010 1 5165 005 Public Health Aide by \$32,600 with an annual salary of \$32,608

Decrease Line Item A4010 1 8610 Dentist PT Per Diem by \$8,000

Decrease Appropriation Account A4010.4 by \$15,000 by decreasing Line Item A4010 4 4046 Fees for Services by \$15,000

Increase Appropriation Account A4010.1 by \$140,341 by increasing the following Line Items:

Increase Line Item A4010 1 8590 RN and PHN Nurse PT by \$140,000

Increase Line item A4010 1 3153 003 Public Health Technician by \$341 with an annual salary of \$47,594

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.

RESOLUTION NO. 78

**AMENDING THE 2021 DEPARTMENT OF MENTAL HEALTH BUDGET:
CLINICAL DIRECTOR POSITION**

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The Director of the Department of Mental Health has requested authorization to amend the 2021 Department of Mental Health Budget to create a Clinical Director position in the Department of Mental Health, and

WHEREAS, The Director has indicated that the Clinical Director would be responsible for overseeing the Department's crisis response programs, including the newly established ACCORD (Albany County Crisis Officials Responding & Diverting) Program, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the 2021 Department of Mental Health Budget is hereby amended as follows:

Decrease Appropriation Account A4310.1 by \$67,950 by decreasing the following Line Items:

Decrease Line Item A4310 1 2201 006 Supervising Social Worker by \$60,983 with an annual salary of \$77,344

Decrease Line Item A4310 1 2204 CASAC by \$6,967 with an annual salary of \$48,894

Increase Appropriation Account A4310.1 by \$67,950 by increasing Line Item A4310 1 2104 001 Clinical Director by \$67,950 with an annual salary of \$86,180

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.

RESOLUTION NO. 79

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE ADVANCE TRAINING INITIATIVE PROGRAM

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested authorization to enter into an agreement with the New York State Department of Health (NYSDOH) regarding the Advance Training Initiative Program in the amount of \$180,557 for a term commencing January 1, 2021 and ending December 31, 2021, and

WHEREAS, The Executive Director has indicated that the agreement would allow for recruitment and retention of staff at Shaker Place Rehabilitation and Nursing Center, and that such funding will be used for education, staff development, and benefits and salaries that would assist with recruitment and retention of staff, and

WHEREAS, The Executive Director has requested to amend the 2021 Department of Residential Health Care Facilities budget to accept these funds, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute an agreement with the New York State Department of Health for the Advance Training Initiative Program in the amount of \$180,557 for a term commencing January 1, 2021 and ending December 31, 2021, and, be it further

RESOLVED, That the 2021 Department of Residential Health Care Facilities Budget is hereby amended as follows:

Increase Revenue Account NH2770 Other Unclassified Revenues by \$180,557

Increase Appropriation Account NH6020.1 by \$80,557 by increasing Line Item NH6020 1 9949 Experience Differential by \$80,557

Increase Appropriation Account NH6020.4 by \$100,000 by increasing Line Item NH6020 4 4039 Conferences, Training & Tuition by \$100,000

and, be it further

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

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

RESOLUTION NO. 80

AUTHORIZING INTERMUNICIPAL AGREEMENTS REGARDING AERIAL IMAGERY UPGRADES AND AMENDING THE 2021 ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The New York State Office of Information Technology (NYSOIT) has notified Albany County of the opportunity to upgrade aerial imaging of Albany County for use by various agencies and municipalities, and

WHEREAS, The Department of Economic Development, Conservation and Planning has request authorization to enter into an agreement with the NYSOIT in an amount not to exceed \$41,000 toward the cost of imaging upgrades for Albany County, and

WHEREAS, The Town of Bethlehem and the City of Albany seek to contribute funds in amounts up to \$9,700 and \$5,950, respectively, in order to cover the imaging of their municipalities, and state their commitment to this project, and

WHEREAS, An amendment to the 2021 Department of Economic Development, Conservation and Planning Budget is required to accommodate such funding, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into intermunicipal agreements up to the amount of \$9,700 with the Town of Bethlehem and up to the amount of \$5,950 with the City of Albany regarding funding for aerial imaging upgrades, and to submit a letter of commitment on behalf of the aforementioned municipalities to the New York State Office of Information Technology regarding this program, and be it further

RESOLVED, That the 2021 Department of Economic Development, Conservation and Planning Budget is hereby amended as follows:

Increase Revenue Account A1624 Orthoimagery Update by \$15,650

Increase Appropriation Account A8020.4 by \$15,650 by increasing Line Item A8020 4 4046 Fees for Service by \$15,650

and, be it further

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

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

RESOLUTION NO. 81

AMENDING THE 2021 ALBANY COUNTY BUDGET: ADMINISTRATIVE ADJUSTMENTS

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The Director of the Department of Management and Budget has requested to make several administrative adjustments to various 2021 Department and Office Budgets, now, therefore, be it

RESOLVED, By the Albany County Legislature that the 2021 County Clerk Budget is hereby amended as follows:

Decrease Appropriation Account A1411.4 by \$750 by decreasing Line Item A1411 4 4020 Office Supplies by \$750

Increase Appropriation Account A1411.1 by \$750 by increasing Line Item A1411 1 1913 001 Electronic Record Mgmt Tech by \$750 with an annual salary of \$38,250

and, be it further

RESOLVED, That the 2021 Department of Public Works Budget is hereby amended as follows:

Decrease Appropriation Account D5110.1 by \$2,277 by decreasing Line Item D5110 1 7212 012 Equipment Operator I by \$2,277

Increase Appropriation Account D5110.1 by \$2,277 by increasing the following Line Items:

Line Item D5110 1 7212 003 Equipment Operator I by \$744 with an annual salary of \$38,755

Line Item D5110 1 7212 004 Equipment Operator I by \$744 with an annual salary of \$38,755

Line Item D5110 1 7212 026 Equipment Operator I by \$789 with an annual salary of \$41,866

and, be it further

RESOLVED, That the 2021 County Executive Budget is hereby amended as follows:

Decrease Appropriation Account A1230.4 by \$3,000 by decreasing the following Line Items:

Line Item A1230 4 4020 Office Supplies by \$1,000
Line Item A1230 4 4035 Postage by \$1,000
Line Item A1230 4 4046 Fees for Services by \$1,000

Increase Appropriation Account A1230.1 by \$3,000 by increasing Line Item A1230 1 9951 Health Insurance Buyout by \$3,000

and, be it further

RESOLVED, That the 2021 Alternate Public Defender Budget is hereby amended as follows:

Decrease Appropriation Account A1171.4 by \$1,470 by decreasing Line Item A1171 4 4046 Fees for Services by \$1,470

Increase Appropriation Account A1171.1 by \$1,470 by increasing Line Item A1171 1 2025 001 Assistant Alternate Public Defender by \$1,470 with an annual salary of \$99,470

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.

RESOLUTION NO. 82

AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF BETHLEHEM

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, This Legislative Body has received one application from the Director of the Real Property Tax Service Agency for a correction of real property taxes, and

WHEREAS, This application has been investigated by the Director who recommends to this Honorable Body that the Tax Roll involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Roll for the Town of Bethlehem be corrected with respect to the following parcel of real property:

<u>APPLICANT</u>	<u>CITY OR TOWN</u> <u>DESCRIPTION OF REAL</u> <u>PROPERTY AS SHOWN ON</u> <u>TAX ROLL OR BILL</u>	<u>REASON FOR</u> <u>CORRECTION</u>
Laurie Lambersten Assessor	Town of Bethlehem 1086 Delaware Avenue Tax Map No. 95.00-4-30.1/1 2021 Collection	Clerical Error

and, be it further

RESOLVED, Said correction shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, 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.

RESOLUTION NO. 83

AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE TOWN OF GUILDERLAND

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, This Legislative Body has received 16 applications from the Director of the Real Property Tax Service Agency for corrections of real property taxes, and

WHEREAS, These applications have been investigated by the Director who recommends to this Honorable Body that the Tax Rolls involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Rolls for the Town of Guilderland be corrected with respect to the following parcels of real property:

<u>APPLICANT</u>	<u>CITY OR TOWN DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</u>	<u>REASON FOR CORRECTION</u>
Lynne Buchanan Receiver of Taxes	Town of Guilderland 38 Whipple Way Tax Map No. 37.14-5-22 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 131 Western Avenue Tax Map No. 37.14-3-5 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 967 Altamont Blvd. Tax Map No. 48.06-1-23 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 210 Main Street Tax Map No. 37.17-1-1 2021 Collection	Clerical Error

Lynne Buchanan Receiver of Taxes	Town of Guilderland 976 Altamont Blvd. Tax Map No. 48.06-3-11 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 978 Altamont Blvd. Tax Map No. 48.06-3-9 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 980 Altamont Blvd. Tax Map No. 48.06-3-10 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 119 Park Street Tax Map No. 37.18-6-21./7 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 107 Park Street Tax Map No. 37.18-6-25 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 162 Main Street Tax Map No. 37.18-5-17 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 196 Main Street Tax Map No. 37.18-3-23 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 140 Western Avenue Tax Map No. 37.14-2-6 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland 114 Sand Street Tax Map No. 37.18-7-15 2021 Collection	Clerical Error

Lynne Buchanan Receiver of Taxes	Town of Guilderland 972 Altamont Blvd Tax Map No. 48.06-3-13 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland Fiber-optic cable Tax Map No. 630.01-9999- 607.700/1881 2021 Collection	Clerical Error
Lynne Buchanan Receiver of Taxes	Town of Guilderland Fiber-optic cable Tax Map No. 630.89-9999- 607.700/1881 2021 Collection	Clerical Error

and, be it further

RESOLVED, Said correction shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, 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.

RESOLUTION NO. 84

AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE CITY OF ALBANY

Introduced: 3/8/21
By Audit and Finance Committee:

WHEREAS, This Legislative Body has received one application from the Director of the Real Property Tax Service Agency for correction of real property taxes, and

WHEREAS, This application has been investigated by the Director who recommends to this Honorable Body that the Tax Roll involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Roll for the City of Albany be corrected with respect to the following parcel of real property:

<u>APPLICANT</u>	<u>CITY OR TOWN</u> <u>DESCRIPTION OF REAL</u> <u>PROPERTY AS SHOWN ON</u> <u>TAX ROLL OR BILL</u>	<u>REASON FOR</u> <u>CORRECTION</u>
Kevin Koelsch Property Tax Analyst National Grid	City of Albany Tax Map No. 555.-7-668 2021 Collection	Clerical Error

and, be it further

RESOLVED, Said correction shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, 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.

RESOLUTION NO. 85

AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF COLONIE

Introduced: 3/8/21
By Audit and Finance Committee:

WHEREAS, This Legislative Body has received one application from the Director of the Real Property Tax Service Agency for correction of real property taxes, and

WHEREAS, This application has been investigated by the Director who recommends to this Honorable Body that the Tax Roll involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Roll for the Town of Colonie be corrected with respect to the following parcel of real property:

<u>APPLICANT</u>	<u>CITY OR TOWN</u> <u>DESCRIPTION OF REAL</u> <u>PROPERTY AS SHOWN ON</u> <u>TAX ROLL OR BILL</u>	<u>REASON FOR</u> <u>CORRECTION</u>
Ron Monfils Assessor	Town of Colonie 62 Sand Creek Road Tax Map No. 53.16-1-1 2021 Collection	Clerical Error

and, be it further

RESOLVED, Said correction shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, 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.

RESOLUTION NO. 86

AUTHORIZING CORRECTION OF THE TAX ROLLS FOR THE TOWN OF WESTERLO

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, This Legislative Body has received two applications from the Director of the Real Property Tax Service Agency for corrections of real property taxes, and

WHEREAS, These applications have been investigated by the Director who recommends to this Honorable Body that the Tax Rolls involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Rolls for the Town of Westerlo be corrected with respect to the following parcels of real property:

<u>APPLICANT</u>	<u>CITY OR TOWN</u> <u>DESCRIPTION OF REAL</u> <u>PROPERTY AS SHOWN ON</u> <u>TAX ROLL OR BILL</u>	<u>REASON FOR</u> <u>CORRECTION</u>
Greenville Central School District	Town of Westerlo 338 Hunt Road Tax Map No. 129.-1-15 2021 Collection	Clerical Error
Garth Slocum Assessor	Town of Westerlo Kropp Road Tax Map No. 137.-2-5.3 2021 Collection	Clerical Error

and, be it further

RESOLVED, Said corrections shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, 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.

RESOLUTION NO. 87

**AMENDING RESOLUTION NO. 45 FOR 2019 AS AMENDED REGARDING
THE COUNTYWIDE RESILIENCY GRANT PROGRAM**

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 45 for 2019, this Honorable Body authorized an agreement with the New York State Department of State regarding the acceptance of grant funding related to the Countywide Resiliency Grant Program for the term commencing February 11, 2019 and ending on September 12, 2020, and

WHEREAS, By Resolution No. 190 for 2020, this Honorable Body authorized the extension of the term of grant funding from September 12, 2020 to January 31, 2022

WHEREAS, The County Executive has indicated that, due to implementation delays related to the COVID-19 pandemic, the New York State Department of State has authorized an extension for the term of grant funding from January 31, 2022 to September 31, 2022, and

WHEREAS, The County Executive has requested an amendment to the grant term in order to fully implement the Countywide Resiliency Grant Program, now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution No. 45 for 2019, as amended, is hereby amended to reflect an ending date of September 31, 2022, rather than January 31, 2022, 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.

RESOLUTION NO. 88

AUTHORIZING THE RELEASE OF RIGHT OF REVERTER OF TITLE TO 144 LIVINGSTON AVENUE (TAX MAP NO. 65.74-4-12) IN THE CITY OF ALBANY

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 424 for 2008, this Honorable Body authorized the conveyance of real property located at 144 Livingston Avenue (Tax Map No. 65.74-4-12) in the City of Albany, and

WHEREAS, The County of Albany, as set forth in Resolution No. 424 for 2008, reserved a right of reverter of title to 144 Livingston Avenue which would be released upon the complete rehabilitation of the property, and

WHEREAS, The Albany County Commissioner of the Department of Management and Budget has requested that the Legislature release the reverter based upon documentation that the rehabilitation was completed, now, therefore be it

RESOLVED, By the Albany County Legislature that the right of reverter to title for 144 Livingston Avenue (Tax Map No. 65.74-4-12) in the City of Albany reserved by the County of Albany is released, and, be it further

RESOLVED, That the Albany County Commissioner of Management and Budget is authorized and directed to execute a release of the right of reverter, and, be it further

RESOLVED, That the County Attorney is authorized to approve said document 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.

RESOLUTION NO. 89

RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 171 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 291 THIRD STREET (TAX MAP NO. 65.56-1-58) IN THE CITY OF ALBANY

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 171 for 2018, 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 291 Third Street (Tax Map No. 65.56-1-58) in the City of Albany, and

WHEREAS, Kirk R. Moore, an abutting property owner, has indicated an interest in acquiring this parcel for \$400, 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. 171 for 2018 is hereby amended by rescinding the authorization to convey 291 Third Street (Tax Map No. 65.56-1-58) in the City of Albany, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 291 Third Street (Tax Map No. 65.56-1-58) in the City of Albany to Kirk R. Moore, 260 Loudonville Road, Albany, NY 12211 for the amount of \$400, and, be it further

RESOLVED, That Kirk R. Moore shall be responsible for all closing costs and a pro-rated portion of the 2020-2021 Albany School taxes, a pro-rated portion of the 2021 Property taxes, excluding the demolition charge listed, all taxes, water and sewer and other charges billed on and after the date of the closing, 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.

RESOLUTION NO. 90

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 172 MAIN STREET (TAX MAP NO. 168.10-3-14) IN THE TOWN OF COEYMANS

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn a property located at 172 Main Street (Tax Map No. 168.10-3-14) in the Town of Coeymans from a filed in rem foreclosure proceeding, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, a sealed bid process may be used regarding the conveyance of withdrawn real property, and

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the County received one sealed bid for said parcel, and has recommended that the parcel be conveyed to the sole responsive bidder, Wild Room, Inc., Coeymans, NY 12045, for the amount of \$1,000, 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 172 Main Street (Tax Map No. 168.10-3-14) in the Town of Coeymans to Wild Room, Inc., Coeymans, NY 12045, for the amount of \$1,000, and, be it further

RESOLVED, That Wild Room, Inc. shall be responsible for 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, as well as any and all water, sewer, and municipal charges, and all school and municipal real estate taxes billed on and after July 1, 2021, and, be it further

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

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

RESOLUTION NO. 91

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 813 19TH STREET (TAX MAP NO. 32.50-5-14) IN THE CITY OF WATERVLIET

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn a property located at 813 19th Street (Tax Map No. 32.50-5-14) in the City of Watervliet from a filed in rem foreclosure proceeding, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, a sealed bid process may be used regarding the conveyance of withdrawn real property, and

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the County received one sealed bid for said parcel, and has recommended that the parcel be conveyed to the sole responsive bidder, Mr. Joseph Seeman, for the amount of \$26,000, 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 813 19th Street (Tax Map No. 32.50-5-14) in the City of Watervliet to Mr. Joseph Seeman, PO Box 2214, Ballston Spa, NY 12020, for the amount of \$26,000, and, be it further

RESOLVED, That Mr. Joseph Seeman shall be responsible for all closing costs, all prior school and municipal real estate taxes, 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, as well as any and all water, sewer, and municipal charges, and all school and municipal real estate taxes billed on and after September 1, 2021, and, be it further

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

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

RESOLUTION NO. 92

**AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT
334 BROADWAY (TAX MAP NO. 44.18-2-17) IN THE TOWN OF COLONIE**

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn a property located at 434 Broadway (Tax Map No. 44.18-2-17) in the Town of Colonie from a filed in rem foreclosure proceeding, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, a sealed bid process may be used regarding the conveyance of withdrawn real property, and

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the County received one sealed bid for said parcel, and has recommended that the parcel be conveyed to the sole responsive bidder, Niko Ventures, LLC. Menands, NY 12204, for the amount of \$161,000, 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 434 Broadway (Tax Map No. 44.18-2-17) in the Town of Colonie to Niko Ventures, LLC. Menands, NY 12204, for the amount of \$161,000, and, be it further

RESOLVED, That Niko Ventures, LLC. shall be responsible for 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, as well as any and all water, sewer, and municipal charges, and all school and municipal real estate taxes billed on and after July 1, 2021, and, be it further

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

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

RESOLUTION NO. 93

**APPOINTMENT OF A MEMBER TO THE COMMUNITY SERVICES BOARD
SUBCOMMITTEE ON MENTAL HEALTH**

Introduced: 3/8/21

By Mr. Feeney:

WHEREAS, A vacancy exists on the Albany County Community Services Board Subcommittee on Mental Health due to the resignation of Mr. William Serafin, and

WHEREAS, Mr. Henri Williams, a current member of the Community Services Board, has expressed an interest in serving on this Subcommittee as Chair, now, therefore be it

RESOLVED, By the Albany County Legislature that pursuant to Section 41.11 of the NYS Mental Hygiene Law and Section 1003 of the Albany County Charter, Mr. Henri Williams is hereby appointed to the Mental Health Subcommittee to serve as Chair for a term commencing immediately and ending December 31, 2022, 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.

RESOLUTION NO. 94

APPOINTMENT OF MEMBER TO THE ALBANY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

Introduced: 3/8/21

By Mr. Feeney:

WHEREAS, In accordance with Sections 6 and 7 of the New York State Soil and Water Conservation Districts Law, three of the five directors appointed by the Legislature shall serve a term of three years, and

WHEREAS, A vacancy currently exists on the Board, and Mr. Douglas E. LaGrange has expressed interest in serving in this position, now, therefore be it

RESOLVED, By the Albany County Legislature, that the following named individual is hereby appointed to the Albany County Soil and Water Conservation District Board for a term commencing immediately and ending December 31, 2022:

Director

Douglas E. LaGrange

Title

At Large Representative

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.

RESOLUTION NO. 95

PUBLIC HEARING ON LOCAL LAW NO. “D” FOR 2021 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, THE RESTAURANT PROTECTION LAW, IN RELATION TO THIRD-PARTY DELIVERY SERVICES

Introduced: 3/8/21

By Grimm, Mauriello, Lockart, Perlee, Burgdorf, Drake, Langdon, Tunny, Whalen:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “D” for 2021, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, THE RESTAURANT PROTECTION LAW, IN RELATION TO THIRD-PARTY DELIVERY SERVICES” to be held remotely by the Albany County Legislature at 7:15 p.m. on Tuesday, April 27, 2021, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.