



# ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (518) 487-5400  
[WWW.ALBANYCOUNTYSHERIFF.COM](http://WWW.ALBANYCOUNTYSHERIFF.COM)



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EXECUTIVE UNDERSHERIFF

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SHERIFF

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UNDERSHERIFF

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CHIEF DEPUTY

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CHIEF DEPUTY

March 8, 2021

Honorable Andrew Joyce  
Legislative Clerk's Office  
112 State Street, Room 710  
Albany, New York 12207

*Andrew*  
Dear Mr. Joyce:

The attached correspondence is forwarded for presentation to the Albany County Legislature.

The proposed construction of a new Emergency Operations Center, Public Safety Answering Point (PSAP-911) Call Center to be undertaken at the Albany County Sheriff's Office Public Safety Building located at 58 Verda Avenue, Clarksville, New York are subject to review pursuant to the State Environmental Quality Review Act ("SEQRA")

The facility includes a new single-story 11,800 sq. ft. building located at the Sheriff's Public Safety campus at 58 Verda Ave. The new structure will be constructed immediately west of the single story 1963 addition to the former Clarksville Elementary School. New construction shall take place in grassy and gravel parking lot areas previously developed for lawn and parking

As described above, this project meets the criteria established for Unlisted Actions pursuant to 6 NYCRR Part 617.5. Accordingly, the project consultant completed a full environmental assessment form and conducted the necessary review of potential environmental impacts. Following this review, this action has been determined not to have a significant impact on the environment, and as such, no procedural compliance beyond this determination is required at this time.

The County has taken the necessary steps to declare Lead Agency status and has completed the necessary environmental assessment. Following this review, it has been determined that the project, as proposed, will not have a significant impact on the environment. Please note that if there is a change in the scope of the project or significant changes to the expected area of disturbance, additional review may be required.

Sincerely,

*Craig D. Apple, Sr.*  
Craig D. Apple, Sr.  
Sheriff

Cc: Hon. Daniel P. McCoy, County Executive  
Hon. William Clay, Public Safety Chairman  
Hon. Wanda Willingham, Audit & Finance Committee  
Brandon Russell, Esq., Majority Counsel  
Hon. Arnis Zilgme, Esq., Minority Counsel  
Christian Barnes, Minority Counsel

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Albany County Sheriff's E-911 Emergency Management Facility		
Project Location (describe, and attach a general location map): 58 Verda Avenue, Clarksville, NY 12041		
Brief Description of Proposed Action (include purpose or need): New Emergency Response Facility, Public Safety Answering Point (PSAP-911 Call Center) to replace current outdated facility operating within adjacent school building on same parcel. New Single-story 11,800 sq. ft. building located at Sheriff's Public Safety campus immediately west of single story 1963 addition to former Clarksville Elementary School. New construction shall take place in grassy and gravel parking lot areas previously developed for lawn and parking. No trees are anticipated to be removed for this project. Parking use will continue in this area of project with reconfiguration in existing courtyard.		
Name of Applicant/Sponsor: Craig D. Apple II	Telephone:	E-Mail:
Address: 449 New Salem Rd.		
City/PO: Voorheesville	State: NY	Zip Code: 12186
Project Contact (if not same as sponsor; give name and title/role): Kevin Demarest, Director of Albany County 911	Telephone: (518) 655-7895	E-Mail: kevin.demarest@albanycountyny.gov
Address: 449 New Salem Rd.		
City/PO: Voorheesville	State: NY	Zip Code: 12186
Property Owner (if not same as sponsor): Albany County	Telephone: (518) 487-5400	E-Mail:
Address: Albany County Office Building, 112 State Street		
City/PO: Albany	State: NY	Zip Code: 12207-2021

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Department of Health - Septic County Legislature - Funding	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEC for SWPPP, SPDES	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): New York State Heritage areas: Mohawk Valley, Heritage Corridor _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): _____ _____ _____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 Town of New Scotland - Residential Hamlet RH Zone

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Bethlehem CSD

b. What police or other public protection forces serve the project site?  
 Albany County Sheriff

c. Which fire protection and emergency medical services serve the project site?  
 Onesquethaw Volunteer Fire District

d. What parks serve the project site?  
 Bennett Hill Preserve, on site playground.

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? County government, Sheriff's Department

b. a. Total acreage of the site of the proposed action? approx. 1.8 acres  
 b. Total acreage to be physically disturbed? > 1 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? Approx-12.24 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 24.41% Units: 11,800 sq. ft.

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: 13 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_ One

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ 18'-8" height; \_\_\_\_\_ 87' width; and \_\_\_\_\_ 134' length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ 11,800 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 3620 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: Town of Bethlehem Water District
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 3620 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):  
sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 It is anticipated that the new facility shall be connected to existing septic system serving former elementary school on southwest corner of site.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 N/A

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e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 0.32 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 12.24 acres (parcel size)  
 ii. Describe types of new point sources. No new point sources  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
On-Site stormwater management facility, underground or surface infiltration basin TBD  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

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f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 N/A  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 N/A  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
Standby diesel generator (primary), backup secondary standby propane generator for essential facility

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g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	_____ 8 AM - 5 PM	• Monday - Friday:	_____ 24/7/365
• Saturday:	_____ 8 AM - 12 PM	• Saturday:	_____ 24/7/365
• Sunday:	_____ None	• Sunday:	_____ 24/7/365
• Holidays:	_____ None	• Holidays:	_____ 24/7/365



m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Minimal noise of construction activities. Weekly generator startup processes. \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 Small fixtures over entry/exit doors, general parking lot lighting mounted on new building or existing building, contained within fenced area.  
 Light fixtures will remain low or with cut-off features to not light up areas beyond fenced courtyard.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

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t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban    Industrial    Commercial    Residential (suburban)    Rural (non-farm)  
 Forest    Agriculture    Aquatic    Other (specify): Existing County Sheriff's Campus.

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.80	3.12	+0.32
• Forested	3.6	3.6	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5.84	5.52	-0.32
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: onsite playground still used by community. This playground is separated from the new construction area by existing bldg.

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities:  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection:  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
 \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
 \_\_\_\_\_  
 \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): \_\_\_\_\_  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 2.07 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

FaB	_____	50 %
AsB	_____	50 %
	_____	%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 6 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ 100 % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 Common Northeast Bird Species \_\_\_\_\_ small mammals \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Project site located within an area identified with occurrence of Northern Long Eared Bat occupied habitat, but there is NO forest habitat within the project site. Areas of disturbance include only grassy lawn and gravel/asphalt parking areas; no trees are anticipated to be removed.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: Clarksville Elementary School

iii. Brief description of attributes on which listing is based:  
Architectural significance in elementary school design for natural daylighting in classrooms with exterior glare control. New project submitted to SHPO.

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

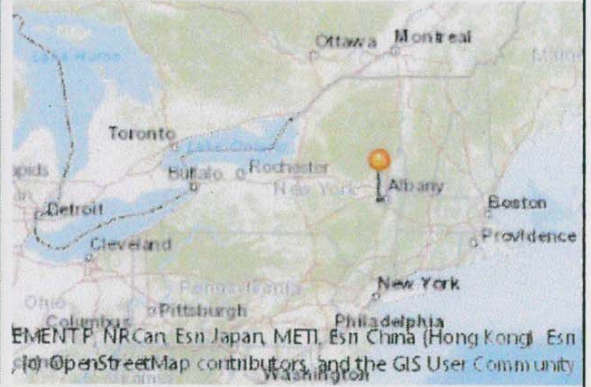
Applicant/Sponsor Name Craig D. Apple II Date 03-09-2021

Signature  Title Sheriff of Albany County

**PRINT FORM**



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Clarksville Elementary School
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project : Albany County Sheriff's E-911 Emerg. Mngr

Date : March 8, 2021

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>



**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.  NO  YES  
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
 If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  NO  YES  
 (See Part 1. E.2)  
 If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**6. Impacts on Air**

The proposed action may include a state regulated air emission source.  
(See Part 1. D.2.f., D.2.h, D.2.g)

NO       YES

*If "Yes", answer questions a - f. If "No", move on to Section 7.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**7. Impact on Plants and Animals**

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

NO       YES

*If "Yes", answer questions a - j. If "No", move on to Section 8.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resources**  
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)  
*If "Yes", answer questions a - g. If "No", go to Section 10.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**  
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)  
*If "Yes", answer questions a - e. If "No", go to Section 11.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

**11. Impact on Open Space and Recreation**

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**12. Impact on Critical Environmental Areas**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

If "Yes", answer questions a - c. If "No", go to Section 13.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
 If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

**17. Consistency with Community Plans**  
 The proposed action is not consistent with adopted land use plans.  
 (See Part 1. C.1, C.2. and C.3.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**  
 The proposed project is inconsistent with the existing community character.  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

1. Impact on Land - A minimal amount of land disturbance is required to place the 11,800 SF Call Center/EOC building and its support generator structures. Existing parking area will be relocated within existing courtyard of school building. Excavation for foundations, utility connections and grading will not exceed 34" in depth based on shallow bedrock location in this area of disturbance. Minimal impact to land expected.

7. Impact on Plants and Animals - The only areas of disturbance are existing grassy, mowed areas and existing gravel/paved parking lot. No unique habitat, plants or animals will be disturbed.

10. Impact on Historic and Archeological Resources - The Clarksville Elementary School which is located on the property and is currently used by the Sheriff's Office is listed on the State and National Register of Historic Places. All construction is planned to be adjacent to the northwest exterior of the 1963 addition. The exterior impact to the existing school structure is limited to a breezeway connector to the new facility of approximately 12' in width, connecting to an existing corridor exit. There will be no impact to the interior of the school building. The new facility being placed adjacent to the school building will be a complementary color to the historic building. Ground disturbance for installation of the concrete floor slabs and foundations is limited by bedrock depth below current ground level. The project has been submitted to the NY State Historic Preservation Office for review and we are awaiting determination that the project will have No Adverse Impact on the cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

15. Impact on Noise, Odor, and Light - Some new exterior lighting to illuminate secure areas and entrances to this facility will be required. The lighting will be placed to have minimum to no impact on surrounding properties.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

TBD/geotechnical report, blueprints of former land development in this immediate area of parcel, site photographs showing current use and conditions. project as been submitted to SHPO for review.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the County of Albany as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

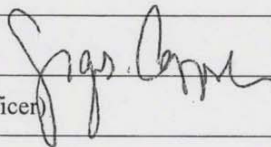
Name of Action: Albany County Sheriff's E-911 Emergency Management Facility

Name of Lead Agency: County of Albany

Name of Responsible Officer in Lead Agency: Craig D. Apple Sr.

Title of Responsible Officer: Albany County Sheriff

Signature of Responsible Officer in Lead Agency:



Date: 03092021

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Kevin Demarest, Director of Albany County 911

Address: 449 New Salem Road, Voorheesville, NY 12186

Telephone Number: (518) 655-7895

E-mail: kevin.demarest@albanycountyny.gov

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

March 23, 2021

Katrina Pacheco  
Office Director  
H2M Architects/ Engineers  
3 Lear Jet Lane, Suite 205  
Latham, NY 12110

Re: SEQRA  
Albany County Sheriff's 911 Call Center - EOC Project  
58 Verda Ave, Clarksville, NY 12041  
21PR01274

Dear Katrina Pacheco:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of the Division for Historic Preservation and relate only to Historic/ Cultural resources.

We note that the former Clarksville Elementary School is listed in the State and National Registers of Historic Places. We understand that the proposed project will include construction of an approximately 11,850sf addition to the north of the original school building to house the Sheriff's 911 Center.

Based on this review, it is OPRHP's opinion that the proposed new construction is compatible with the historic school. In addition, there are no archaeological concerns associated with this project.

If this project will involve state or federal permitting, funding or licensing, it may require continued review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey  
Historic Site Restoration Coordinator  
Weston.davey@parks.ny.gov

**RESOLUTION NO. 120**

**DETERMINATION THAT THE PROPOSED CONSTRUCTION AT THE ALBANY COUNTY E 9-11 COMMUNICATIONS CENTER WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff's Office is seeking to relocate the current E-911 Communications Center Emergency Management Office for Albany County in order to better accommodate the needs of the County, and

WHEREAS, The Sheriff's Office has proposed to undertake new construction located at 58 Verda Avenue, Clarksville to accommodate the E-911 Communications Center Emergency Management Office project, and

WHEREAS, The proposed action is subject to the requirements of the State Environmental Quality Review Act pursuant to 6 NYCRR 617, and

WHEREAS, The Albany County Department of Economic Development, Conservation and Planning, acting on behalf of the Albany County Legislature has reviewed the proposed action, including Parts 1, 2, and 3 of the Environmental Assessment Form dated March 9, 2021 prepared for the proposed action, and has complied with all applicable administrative and procedural requirements on behalf of the County, now, therefore be it

RESOLVED, That the Albany County Legislature has considered the findings of the Department of Economic Development, Conservation and Planning and has determined that the proposed action is an Unlisted Action and will not have a significant impact on the environment, and, be it further

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



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING  
112 STATE STREET – ROOM 1310  
ALBANY, NEW YORK 12207-2021  
(518) 447-5670 - FAX (518) 447-5662

February 16, 2021

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

Dear Chairman Joyce:

The County sponsored an application for a snowmobile trail maintenance grant and was awarded funding through NYS Office of Parks, Recreation, and Historic Preservation to assist local snowmobile clubs with development and maintenance of snowmobile trails in the County. The total amount of the award is \$12,756. The funds will be passed through to Frontier Sno Riders and Middleburgh Ridgerunners, the organizations responsible for trail maintenance. There is no cost to the County.

If you have any questions, please feel free to contact me. I will also be available to answer questions at the next committee meeting.

Sincerely,

Laura DeGaetano  
Sr. Natural Resource Planner

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





# County of Albany

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

## Legislation Text

**File #:** TMP-2307, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

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

Authorization to accept NYS Snowmobile Trails Maintenance Grant

Date:	February 16, 2021
Submitted By:	Laura DeGaetano
Department:	Economic Development, Conservation and Planning
Title:	Sr. Natural Resource Planner
Phone:	518-447-5670
Department Rep.	Laura DeGaetano
Attending Meeting:	Laura DeGaetano

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

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

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

Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: NYS Department of Parks Recreation and Historic Preservation  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline 7/1/2021

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

**Contract Terms/Conditions:**

Party (Name/address):  
NYS OPRHP, Snowmobile Unit Albany, NY 12238

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

Amount/Raise Schedule/Fee: \$12,756  
Scope of Services: Pass thru grant for snowmobile trails maintenance

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

**CONCERNING ALL REQUESTS**

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

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

**County Budget Accounts:**

---

**File #: TMP-2307, Version: 1**

---

Revenue Account and Line: A 8020 0 3072  
Revenue Amount: \$12,756

Appropriation Account and Line: A 8020 4 4046  
Appropriation Amount: \$12,756

Source of Funding - (Percentages)

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

Term

Term: (Start and end date) 4/1/20  
Length of Contract: 8/31/21

Impact on Pending Litigation

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

Previous requests for Identical or Similar Action:

Resolution/Law Number: 56  
Date of Adoption: 2/10/20

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

The county sponsored an application for a snowmobile trails maintenance grant and was awarded funding through NYS Department of Parks, Recreation and Historic Preservation to assist local snowmobile clubs with development and maintenance of snowmobile trails in the county. The total amount of the award is \$12,756. The funds will be passed through to Frontier Sno Riders and Middleburgh Ridegerunners, the organizations responsible for maintenance.

IID PROGRAM BUDGET AMENDMENT

APPROPRIATIONS

ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A 8020 4 4046	Fees for Service	12,756.00			EDCP
TOTAL APPROPRIATIONS		<u>12,756.00</u>	<u>0.00</u>		

ESTIMATED REVENUES

ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
A 8020 0 3072	Snowmobile Trails Grant		12,756.00		EDCP
TOTAL ESTIMATED REVENUES		<u>0.00</u>	<u>12,756.00</u>		
GRAND TOTALS		<u>12,756.00</u>	<u>12,756.00</u>		

**RESOLUTION NO. 56**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REGARDING A SNOWMOBILE TRAIL DEVELOPMENT GRANT AND AMENDING THE 2020 DEPARTMENT OF ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET**

Introduced: 2/10/20

By Audit and Finance Committee:

WHEREAS, The Department of Economic Development, Conservation and Planning has requested authorization to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation regarding a Snowmobile Trail Development Grant for the term commencing April 1, 2019 and ending August 31, 2020 in the amount of \$12,792, and

WHEREAS, The Department indicated that the funds are for the development and maintenance of snowmobile trails in Albany County, and

WHEREAS, The Department requested a budget amendment in order to appropriate said funding, 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 of Parks, Recreation and Historic Preservation regarding a Snowmobile Trail Development Grant for the term commencing April 1, 2019 and ending August 31, 2020 in the amount of \$12,792, and, be it further

RESOLVED, That the 2020 Department of Economic Development, Conservation and Planning Budget is amended as follows:

Increase Revenue Account A3072 Snowmobile Trails Grant by \$12,792

Increase Appropriation Account A8020.4 by \$12,792 by increasing Line Item A8020 4 4046 Fees for Service by \$12,792

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.



**Parks, Recreation  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

**Snowmobile Unit**  
t: (518) 474-0446  
f: (518) 486-7378  
snowmobile.unit@parks.ny.gov

February 13, 2021

Daniel P. McCoy  
Albany County Executive  
112 State Street  
Albany, NY 12207

Dear Mr. McCoy:

On behalf of the New York State Office of Parks, Recreation and Historic Preservation, in accordance with Snowmobile Program guidelines, I am pleased to inform you that your **2020-21** application for snowmobile trail development and maintenance assistance has been approved for **\$12,756.00**. These funds will provide financial assistance for maintaining approved snowmobile trail miles as listed in the enclosed mileage table. All funded trails must provide public access to any snowmobile currently registered in the state.

Funding is determined through a formula based on approved trail miles in your county, with Corridor and Secondary Class A trails at \$336/mile, Corridor and Secondary Class B trails at \$276/mile, and a High Snow allotment, if any, at \$300/mile. A breakdown of trail miles and award calculations is enclosed for your reference.

The local assistance will be provided in two payments. The first, **\$8,929.20**, represents 70% of the total and will be advanced upon submission of the enclosed State Aid Voucher. The voucher must be signed by the Chief Fiscal Officer of your county or municipality. A second payment of **\$3,826.80** represents the remaining 30% and will be sent after an audit of the Phase III documentation submitted to this office has been completed at the close of this year's snowmobiling season. Insufficient documentation may result in a lower 30% payment or a reimbursement to the state of some of all of the 70% award.

This year \$4,054,468 is being made available to municipalities for the maintenance, development, and support of over 10,500 miles of snowmobile trails throughout the state. The funding level is based upon the fees collected from snowmobile registrations.

**IMPORTANT Voucher Instructions!**

Please be sure to retain a copy of the voucher for your records. With the exception of the Chief Fiscal Officer signature, please do not change *or* add any information to this voucher. If you have a correction/change, please notify our office and return the unsigned voucher. Once the completed voucher is received by our office, it will be processed and submitted to the New York State Comptroller's Office for payment.

**Local Sponsor/Club Webinar**

In the past, our office has conducted webinars for Local Sponsors and Trail Maintenance Entity members who use the Automated Trail Grant Program (ATGP). The goals for these webinars are to provide training and support for use of the ATGP, as well as providing an opportunity to discuss the current state of the overall trail grant program and raise any program questions or issues. Upon request, we would be happy to set up additional webinars.

Should you have any questions concerning the grant process, please contact the Snowmobile Unit at (518) 474-0446.

Congratulations – and thank you for supporting snowmobiling!

Sincerely,

A handwritten signature in blue ink that reads "Nicole Unser". The signature is written in a cursive, flowing style.

Nicole Unser  
Director, Snowmobile Unit

Enclosures

cc: L. DeGaetano

# STATE AID VOUCHER

Voucher No.

① Originating Agency <b>OPRHP</b>			Orig. Agency Code <b>49070</b>		Interest Eligible (Y/N)						
Payment Date (MM) (DD) (YY) <b>/ /</b>		OSC Use Only			Liability Date (MM) (DD) (YY) <b>02 / 13 / 2021</b>						
② Payee ID <b>1000002428</b>		Add	③ Zip Code		Route	Payee Amount <b>8929.20</b>		MIR Date (MM) (DD) (YY) <b>/ /</b>			
④ Payee Name (Limit to 30 spaces) <b>County of Albany</b>					IRS Code	IRS Amount					
Payee Name (Limit to 30 spaces)					Stat. Type	Statistic	Indicator-Dept.	Indicator-Statewide			
Address (Limit to 30 spaces) <b>112 State Street</b>					⑤ Ref/Inv. No. (Limit to 20 spaces) <b>SNOW 70% 2020-21 Albany</b>						
Address (Limit to 30 spaces)					Ref/Inv. Date (MM) / (DD) / (YY) <b>02/13/2021</b>						
City (Limit to 20 spaces) <b>Albany</b>		(Limit to 2 spaces) →		State <b>NY</b>	Zip Code <b>12207</b>						
⑥ Date Paid	Check or Voucher No.	Description of Charges (If Personal Service, show name, title, period covered)				Amount Dollars      Cents					
		Snowmobile Trail Maintenance 70% Award 2020-2021 Season (04/01/20 – 03/31/21) 70% Award (pre-audit payment)  County of Albany				\$8929.20					
⑦ State Aid Program or Applicable Statute: <b>2020-21 Snowmobile Trail Fund</b>					TOTAL		\$8929.20				
⑧ Payment Certification: I certify that the above expenditures have been made in accordance with the provisions of the Applicable Statute; that the claim is just and correct; that no part thereof has been paid except as stated; that the balance is actually due and owing; and that taxes which the State is exempt are excluded.  → Signature in Ink _____ Date _____ Title _____ Name of Municipality _____					Less Receipts						
					NET						
					____ %	State Aid Claimed					
<b>FOR STATE AGENCY USE ONLY</b>					<b>STATE COMPTROLLER'S PRE-AUDIT</b>						
Merchandise Received	I certify that this claim is correct and just, and payment is approved.					State Aid					
Date _____						Verified	Certified For Payment of State Aid Amount				
Page No. _____		Audited	By _____								
By _____											
<b>Expenditure</b>					<b>Liquidation</b>						
Cost Center Code											
Dept.	Program	Fund	Accoun	Bud Ref	Dept.	Statewide	Amount	Orig. Agency	PO/Contract	Line	F/P
<b>1290714</b>	<b>40032</b>	<b>21932</b>	<b>60301</b>	<b>2020-21</b>			<b>\$8929.20</b>				



## 2020-21 Snowmobile Award Breakdowns: Albany

TME	Corridor A	Secondary A	Corridor B	Secondary B	High Snow	Award Total	70%	30%
Frontier Sno Riders (ALBA)	12	12	0	0	0	\$8,064.00	\$5,644.80	\$2,419.20
Ridgerunners Snowmobile Club of Middle	0	0	17	0	0	\$4,692.00	\$3,284.40	\$1,407.60
<b>Totals:</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>\$12,756.00</b>	<b>\$8,929.20</b>	<b>\$3,826.80</b>

**RESOLUTION NO. 121**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION AND AMENDING THE 2021 DEPARTMENT OF ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, The Department of Economic Development, Conservation and Planning has requested authorization to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation on behalf of the Frontier Sno-Riders Snowmobile Club and Ridgerunners Snowmobile Club of Middleburgh, Inc. for the purpose of maintaining designated snowmobile trails in Albany County, for the term commencing April 1, 2020 and ending August 31, 2021 in the amount of \$12,756, and

WHEREAS, The Department requested a budget amendment in order to appropriate said funding, 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 of Parks, Recreation and Historic Preservation on behalf of the Frontier Sno-Riders Snowmobile Club and Ridgerunners Snowmobile Club of Middleburgh, Inc. for the purpose of maintaining designated snowmobile trails in Albany County, for the term commencing April 1, 2020 and ending August 31, 2021 in the amount of \$12,756, and, be it further

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

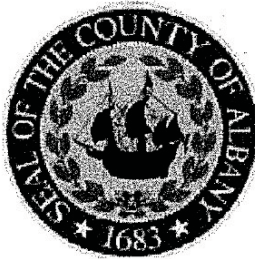
Increase Revenue Account A3072 Snowmobile Trails Grant by \$12,756

Increase Appropriation Account A8020.4 by \$12,756 by increasing Line Item A8020 4 4046 Fees for Service by \$12,756

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.



Daniel P. McCoy  
County Executive

Michael McGuire  
Director

COUNTY OF ALBANY  
REAL PROPERTY TAX SERVICE AGENCY  
112 State Street, Room 1340  
ALBANY, NEW YORK 12207  
OFFICE: (518) 487-5291  
FAX: (518) 447-2503  
[www.albanycounty.com](http://www.albanycounty.com)

February 19, 2021

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

Re: Authorizing the County Director of the Real Property Tax Service Agency to approve certain correction applications

Dear Chairman Joyce,

The Real Property Tax Service Agency requests Legislative approval of a resolution authorizing the County Director of the Real Property Tax Service Agency to pursuant to Real Property Tax Law §554(9) and §556(8) approve without prior audit certain applications made for correction of tax roll errors and refunds and credits of taxes.

The attached resolution would grant the Director of the Real Property Tax Service Agency the authority to approve without prior audit applications pursuant to Real Property Tax Law §554 for correction of tax roll errors and §556 for refunds and credits of taxes where the recommended correction, refund or credit is \$2,500 or less.

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

Sincerely,

Michael McGuire, Director  
Real Property Tax Service Agency

CC: Honorable Dennis Feeny, Majority Leader  
Honorable Frank Mauriello, Minority Leader  
Kevin Cannizzaro, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

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

## Legislation Text

**File #:** TMP-2322, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

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

Authorizing the County Director of the Real Property Tax Service Agency to approve certain correction and refund applications

Date: 2/19/2021  
 Submitted By: Michael McGuire  
 Department: Real Property Tax Service Agency  
 Title: Director  
 Phone: 518-487-5292  
 Department Rep.  
 Attending Meeting: [Click or tap here to enter text.](#)

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Approve resolution authorizing the County Director of the Real Property Tax Service Agency to approve certain correction and refund applications

**CONCERNING BUDGET AMENDMENTS**

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

- Contractual
- Equipment
- Fringe

- Personnel
- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

Is there a Fiscal Impact: Yes  No

Anticipated in Current Budget: Yes  No

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation Yes  No

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

Previous requests for Identical or Similar Action:

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

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

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

The Real Property Tax Service Agency requests Legislative approval of a resolution authorizing the County Director of the Real Property Tax Service Agency to pursuant to Real Property Tax Law §554(9) and §556(8) approve without prior audit certain applications made for correction of tax roll errors and refunds and credits of taxes.

The attached resolution would grant the Director of the Real Property Tax Service Agency the authority to approve without prior audit applications pursuant to Real Property Tax Law §554 for correction of tax roll errors and §556 for refunds and credits of taxes where the recommended correction, refund or credit is \$2,500 or less.

00/00/21

**RESOLUTION NO. \_\_\_\_\_**

**AUTHORIZING THE COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES TO PURSUANT TO REAL PROPERTY TAX LAW § 554 (Subd. 9) AND § 556 (Subd. 8) APPROVE WITHOUT PRIOR AUDIT BY THIS BODY CERTAIN APPLICATIONS MADE FOR CORRECTION OF TAX ROLL ERRORS AND REFUNDS AND CREDITS OF TAXES**

Introduced:

By

WHEREAS, this Body in its capacity as the governing and tax levying body of this County may as provided in Real Property Tax Law, §§ 554 (subd. 9) and 556 (subd. 8), by Resolution, delegate to an official of this County the power to without prior audit by this Body approve applications made pursuant to Real Property Tax Law, § 554 for correction of tax roll errors and § 556 for refunds and credits of taxes where the recommended correction, refund or credit is \$2,500 or less, or such other sum not to exceed \$2,500, and

WHEREAS, the Director of Real Property Tax Services of this County is an official thereof empowered pursuant to Real Property Tax Law, § 1532 (subd.4) to render such services pertaining to the assessment and taxation of real property as may be authorized by this Body as the legislative body of this County that are not inconsistent with the performance of said Director's duties pursuant to the Real Property Tax Law or any general or special law, it is hereby

RESOLVED, that pursuant to Real Property Tax Law, § 554 (subd. 9) the Director of Real Property Tax Services of this County is by this Resolution authorized by this Body as the legislative body of this County to without prior audit by this Body approve applications made pursuant to Real Property Tax Law, § 554 for correction of tax roll errors where said Director's recommended correction is \$2,500 or less, or such other sum not to exceed \$2,500, and it is further

RESOLVED that as provided by Real Property Tax Law, § 554 this Resolution shall only be in effect during the calendar year in which it is adopted and shall be applicable only where said Director's recommended correction is \$2,500 or less, or such other sum not to exceed \$2,500, and it is further

RESOLVED, that as provided by Real Property Tax Law, § 554 where said Director's recommended correction is \$2,500 or less, or such other sum not to exceed \$2,500, said Director shall prepare a written report of said Director's investigation and recommendation with respect thereto, and it is further

RESOLVED that as provided by Real Property Tax Law, § 554 upon preparing said written report, said Director shall follow the procedure which this Body as the tax levying of this County would follow in making corrections, provided, however, where said Director denies the correction, in whole or in part, said Director shall transmit to this Body for its review and disposition pursuant to subdivision 5. of said section said written report of the investigation and recommendation of said Director, together with both copies of the application made therefor and the reasons that said Director denied the correction. Where the recommendation of said Director is to deny the application for the correction requested is an amount in excess of the amount authorized in this enabling Resolution, said Director shall transmit the written report of the investigation and recommendation, together with both copies of the application made therefor, to this Body, and it is further

RESOLVED that on or before the 15th day of each month, said Director shall submit a report to this Body of the corrections processed by said Director pursuant to this enabling Resolution during the preceding month, which report shall indicate the name of each recipient, the location of the property and the amount of the correction, and it is further

RESOLVED that pursuant to Real Property Tax Law, § 556 (subd. 8) the Director of Real Property Tax Services of this County is by this Resolution is further authorized by this Body as the legislative body of this County to without prior audit by this Body approve applications made pursuant to Real Property Tax Law, § 556 for a credit or refund of taxes, where said Director's recommended refund or credit, is \$2,500 or less, or such other sum not to exceed \$2,500, and it is further



RESOLVED that as provided by Real Property Tax Law, § 556 this Resolution shall only be in effect during the calendar year in which it is adopted and shall be applicable only where the recommended refund or credit is \$2,500 or less, or such other sum not to exceed \$2,500, and it is further

RESOLVED, that as provided by Real Property Tax Law, § 556 where the recommended refund or credit is \$2,500 or less, or such other sum not to exceed \$2,500, said Director shall prepare a written report of the investigation and recommendation with respect thereto, and it is further

RESOLVED that as provided by said Real Property Tax Law, § 556 upon preparing said written report, said Director shall follow the procedure which this Body as the tax levying body would follow in making refunds or credits, provided, however, where said Director denies the refund or credit, in whole or in part, said Director shall transmit to this Body for its review and disposition pursuant to subdivision 5. of said section said written report of the investigation and recommendation of said Director, together with both copies of the application made therefor and the reasons that said Director denied the refund or credit. Where the recommendation of said Director is to deny the application for the refund or credit requested or it is an amount in excess of the amount authorized in this enabling Resolution, said Director shall transmit the written report of the investigation and recommendation, together with both copies of the application, to this Body, and it is further

RESOLVED that on or before the fifteenth day of each month, said Director shall submit a report to this Body of the refunds and credits processed by said Director pursuant to this enabling Resolution during the preceding month, which report shall indicate the name of each recipient, the location of the property and the amount thereof, and it is further

RESOLVED that in no case shall the total sum of such refunds and credits approved by said Director exceed the amount appropriated therefor by this Body as the tax levying body of this County.

List of all correction and refund applications received by the Real Property Tax Service Agency in 2020. 166 of the 181 applications were for less than \$2,500.

	<u>Municipality</u>	<u>Property Location</u>	<u>Tax Map #</u>	<u>Correction Type</u>	<u>RLA</u>	<u>Correction Amount</u>
1	Colonie	58A Arcadia Court	53.10-1-53.1	Corrected Bill	6/30/2020	0.10
2	Colonie	36 Ferrara Avenue	16.6-2-11	Corrected Bill	6/30/2020	0.20
3	Colonie	42 South Kellogg Ave	16.7-2-52	Corrected Bill	6/30/2020	0.20
4	Colonie	15A Jones Drive	17.7-1-11	Corrected Bill	6/30/2020	0.20
5	Colonie	19 Mt. Riga Avenue	31.8-1-12	Corrected Bill	6/30/2020	0.20
6	Rensselaerville	Main Street R	137.9-3-29	Corrected Bill	1/29/2020	0.21
7	Rensselaerville	Pucker Street	180.-2-34	Corrected Bill	1/29/2020	0.27
8	Colonie	71 Lancaster	16.6-3-33	Corrected Bill	6/30/2020	0.40
9	Colonie	23 Overlook Avenue	31.8-2-24	Corrected Bill	1/29/2020	7.04
10	Albany	50 Bassett Street	76.65-5-10	Corrected Bill	6/30/2020	7.21
11	Rensselaerville	26 Frieda's Hill Lane	180.-1-20	Corrected Bill	1/29/2020	10.67
12	Albany	213 Sherman Street	65.63-2-24	Corrected Bill	6/30/2020	15.87
13	Rensselaerville	351 Hale Rd., Rensselaerville, NY	149.-1-7	Refund Issued	5/15/2020	19.85
14	Rensselaerville	351 Hale Rd., Rensselaerville, NY	149.-1-7	Refund Issued	5/15/2020	20.16
15	Rensselaerville	351 Hale Rd., Rensselaerville, NY	149.-1-7	Refund Issued	5/15/2020	20.68
16	Colonie	62 Shepard Avenue	16.8-1-44	Corrected Bill	6/30/2020	43.73
17	Rensselaerville	5019 Delaware Tpke, Rensselaerville, NY	137.9-1-26	Refund Issued	5/15/2020	45.87
18	Rensselaerville	5019 Delaware Tpke, Rensselaerville, NY	137.9-1-26	Refund Issued	5/15/2020	46.58
19	Rensselaerville	5019 Delaware Tpke, Rensselaerville, NY	137.9-1-26	Refund Issued	5/15/2020	47.80
20	Albany	311 Third Street	65.56-1-49	Corrected Bill	6/30/2020	51.51
21	Albany	153 Sheridan Avenue	65.81-6-79	Corrected Bill	6/30/2020	51.92
22	Bethlehem	21 Flanders Lane	63.0-3-90	Corrected Bill	10/1/2020	65.67
23	Cohoes	140 Main Street	10.75-3-37	Corrected Bill	6/30/2020	73.25
24	Colonie	169 Troy Schenectady Road	32.1-2-5.14	Corrected Bill	1/29/2020	83.62
25	Albany	617 Third Street	65.30-1-62	Corrected Bill	6/30/2020	89.18
26	Rensselaerville	936 Main Street SR 145	171.-3-3	Corrected Bill	1/29/2020	93.02
27	Cohoes	213 Central Avenue	20.8-1-13	Corrected Bill	6/30/2020	103.56
28	Albany	313 Orange Street	65.72-6-33	Corrected Bill	6/30/2020	125.60
29	Guilderland	45 North Bridge Rd	63.12-2-43	Refund Issued	2/11/2020	130.73
30	Albany	129 Sherman Street	65.63-5-27	Corrected Bill	6/30/2020	132.23
31	Rensselaerville	243 Gulf Rd, Middleburgh, NY	135.-1-4.2	Refund Issued	5/15/2020	132.47
32	Albany	6 Alexander Street	76.65-3-30	Corrected Bill	6/30/2020	132.81
33	Rensselaerville	243 Gulf Rd, Middleburgh, NY	135.-1-4.2	Refund Issued	5/15/2020	134.52
34	Albany	27 Fulton Street	76.49-3-17	Corrected Bill	6/30/2020	135.25
35	Albany	161 S. Hawk Street	76.56-4-35	Corrected Bill	6/30/2020	135.69
36	Rensselaerville	433 Niles Road	172.-2-16.10	Corrected Bill	1/29/2020	136.25
37	Albany	37 Osborne Street	76.56-2-88	Corrected Bill	6/30/2020	136.72
38	Albany	31 Osborne Street	76.56-2-85	Corrected Bill	6/30/2020	136.72
39	Rensselaerville	243 Gulf Rd, Middleburgh, NY	135.-1-4.2	Refund Issued	5/15/2020	137.95
40	Rensselaerville	107 Pearson Rd., Preston Hollow, NY	160.-1-31	Refund Issued	5/15/2020	139.77
41	Albany	35 Osborne Street	76.56-2-87	Corrected Bill	6/30/2020	140.13
42	Albany	44 Second Street	76.72-3-6	Corrected Bill	6/30/2020	140.85
43	Rensselaerville	107 Pearson Rd., Preston Hollow, NY	160.-1-31	Refund Issued	5/15/2020	141.95
44	Albany	30 Emmet Street	65.52-1-58	Corrected Bill	6/30/2020	143.93
45	Colonie	1208 Chestnut Street	32.19-1-22	Corrected Bill	1/29/2020	145.30
46	Rensselaerville	107 Pearson Rd., Preston Hollow, NY	160.-1-31	Refund Issued	5/15/2020	145.57
47	Albany	417 First Street	65.55-6-66	Corrected Bill	6/30/2020	149.50
48	Albany	592 Third Street	65.30-2-19	Corrected Bill	6/30/2020	149.50
49	Albany	110 Alexander Street	76.64-2-6	Corrected Bill	6/30/2020	151.97
50	Albany	41 Sloan Street	76.64-5-14	Corrected Bill	6/30/2020	160.62
51	Albany	258 Seond Street	65.64-6-14	Corrected Bill	6/30/2020	160.62
52	Albany	13 S. Swan Street	65.81-6-81	Corrected Bill	6/30/2020	161.19
53	Albany	24 Van Zandt Street	76.49-3-22	Corrected Bill	6/30/2020	164.81
54	Albany	35 Regent Street	76.71-2-27	Corrected Bill	6/30/2020	167.84
55	Albany	108 Ontario Street	65.46-3-85	Corrected Bill	6/30/2020	177.31

56	Albany	129 Broad Street	76.73-4-10	Corrected Bill	6/30/2020	179.37
57	Coeymans	9 First Street	168.12-2-12	Corrected Bill	6/30/2020	193.82
58	Albany	52 Emmet Street	65.52-1-43	Corrected Bill	6/30/2020	194.41
59	Albany	62 Broad Street	76.65-3-19	Corrected Bill	6/30/2020	195.85
60	Albany	23 Leonard Street	76.72-4-60	Corrected Bill	6/30/2020	196.06
61	Albany	71 Second Avenue	76.64-5-44	Corrected Bill	6/30/2020	196.48
62	Coeymans	279 Gedney Hill Road	178.-1-21	Corrected Bill	6/30/2020	205.47
63	Albany	465 Elk Street	65.46-3-28	Corrected Bill	6/30/2020	216.21
64	Albany	24 Judson Street	65.55-6-38	Corrected Bill	6/30/2020	216.35
65	Albany	48 Bassett Street	76.65-5-11	Corrected Bill	6/30/2020	216.35
66	Albany	525 First Street	65.47-2-32	Corrected Bill	6/30/2020	216.35
67	Watervliet	211 15th Street	32.67-2-42	Corrected Bill	1/29/2020	217.20
68	Albany	228 Elk Street	65.72-4-10	Corrected Bill	6/30/2020	221.46
69	New Scotland	2072 Delaware Turnpike	105.4-4-9.1	Corrected Bill	1/29/2020	225.31
70	Watervliet	202 15th Street	32.75-1-25	Corrected Bill	1/29/2020	225.88
71	Albany	811 Livingston Avenue	65.21-1-34	Corrected Bill	6/30/2020	232.89
72	Albany	2 Sparkill Avenue	75.76-1-30	Corrected Bill	6/30/2020	237.07
73	Albany	59 Judson Street	65.56-1-44	Corrected Bill	6/30/2020	241.12
74	Albany	530 Clinton Street	65.55-4-4	Corrected Bill	6/30/2020	241.12
75	Cohoes	5 Sargent Street	10.15-4-16	Corrected Bill	6/30/2020	252.59
76	Albany	26 Pennsylvania Ave.	65.57-1-67	Corrected Bill	6/30/2020	255.87
77	Albany	242 Orange Street	65.81-3-3	Corrected Bill	6/30/2020	263.97
78	Albany	603 Clinton Avenue	65.55-1-45	Corrected Bill	6/30/2020	265.00
79	Albany	395 Clinton Avenue	65.64-4-61	Corrected Bill	6/30/2020	268.21
80	Coeymans	Gedney Hill Road	178.-1-23	Corrected Bill	6/30/2020	273.12
81	Albany	219 Spruce Street	65.72-4-61	Corrected Bill	6/30/2020	276.48
82	Albany	524 Clinton Street	65.55-4-7	Corrected Bill	6/30/2020	278.51
83	Rensselaerville	394 Edwards Hill Rd., Oak Hill, NY	172.-1-14	Refund Issued	5/15/2020	280.47
84	Rensselaerville	394 Edwards Hill Rd., Oak Hill, NY	172.-1-14	Refund Issued	5/15/2020	280.89
85	Albany	199 Lark Street	65.80-3-25	Corrected Bill	6/30/2020	284.45
86	New Scotland	3 Rock Hill Road	94.-1-7	Corrected Bill	1/29/2020	286.68
87	Albany	92 Henry Johnson Blvd	65.72-5-1	Corrected Bill	6/30/2020	288.46
88	Rensselaerville	394 Edwards Hill Rd., Oak Hill, NY	172.-1-14	Refund Issued	5/15/2020	290.95
89	Albany	206 Clinton Street	65.81-2-6	Corrected Bill	6/30/2020	295.38
90	Rensselaerville	192 Roney Rd., Preston Hollow, NY	160.-1-41	Refund Issued	5/15/2020	307.93
91	Albany	539 Clinton Avenue	65.55-5-55	Corrected Bill	6/30/2020	316.44
92	Albany	1209 Broadway	66.37-1-30	Corrected Bill	6/30/2020	321.96
93	Bethlehem	20 Cherry Avenue	85.10-2-63	Corrected Bill	1/29/2020	325.08
94	Rensselaerville	192 Roney Rd., Preston Hollow, NY	160.-1-41	Refund Issued	5/15/2020	334.01
95	Albany	354 Second Street	65.55-6-27	Corrected Bill	6/30/2020	338.65
96	New Scotland	198 Normanskill Road	62.-4-11.1	Corrected Bill	1/29/2020	339.66
97	Albany	663 Second Street	65.30-2-41.2	Corrected Bill	6/30/2020	350.09
98	Albany	31 Normanside Drive	74.11-2-64	Corrected Bill	6/30/2020	368.59
99	Albany	29 Normanside Drive	74.11-2-65	Corrected Bill	6/30/2020	368.59
100	Albany	27 Normanside Drive	74.11-2-66	Corrected Bill	6/30/2020	368.59
101	Albany	23 Normanside Drive	74.11-2-68	Corrected Bill	6/30/2020	368.59
102	Rensselaerville	192 Roney Rd., Preston Hollow, NY	160.-1-41	Refund Issued	5/15/2020	405.25
103	Albany	170 Mount Hope Drive	87.23-2-36	Refund Issued	1/29/2020	411.06
104	Colonie	6 Lincoln Avenue	41.12-4-13	Corrected Bill	1/29/2020	413.84
105	Albany	7 Third Avenue	76.73-1-43	Corrected Bill	6/30/2020	416.53
106	Guilderland	225 Bell Ct	40.05-2-42	Refund Issued	2/18/2020	416.58
107	Albany	4 Madison Pl	76.49-1-8	Corrected Bill	6/30/2020	428.09
108	Albany	123 Fourth Avenue	76.65-2-40	Corrected Bill	6/30/2020	432.69
109	Rensselaerville	949 Route 351, Rensselaerville, NY	149.-1-22.1	Refund Issued	5/15/2020	432.75
110	Albany	1 Batcher Street	76.72-3-33	Corrected Bill	6/30/2020	438.60
111	Albany	432 Elk Street	65.54-5-13	Corrected Bill	6/30/2020	447.12
112	Albany	419 Livingston Ave	65.10-2-5	Refund Issued	6/8/2020	490.38
113	Rensselaerville	949 Route 351, Rensselaerville, NY	149.-1-22.1	Refund Issued	5/15/2020	503.44

114	Colonie	497 Sand Creek Road	42.5-3-18	Corrected Bill	1/29/2020	504.71
115	Rensselaerville	949 Route 351, Rensselaerville, NY	149.-1-22.1	Refund Issued	5/15/2020	504.89
116	New Scotland	33 Upper Flat Rock Rd	106.-1-27	Corrected Bill	1/14/2020	510.49
117	Berne	Peasley Road	124.-2-7	Corrected Bill	6/30/2020	539.97
118	Albany	61 Odell Street	76.72-3-67	Corrected Bill	6/30/2020	547.21
119	Albany	293 Orange Street	65.73-2-25	Corrected Bill	6/30/2020	568.23
120	Albany	295 Orange Street	65.73-2-26	Corrected Bill	6/30/2020	568.23
121	Bethlehem	Hunter Road	85.11-3-18	Corrected Bill	1/29/2020	568.27
122	Watervliet	1212 4th Avenue	32.82-2-36	Corrected Bill	1/29/2020	587.20
123	Albany	699 Third Street	65.21-1-72	Corrected Bill	6/30/2020	601.70
124	Bethlehem	12 Knights Way	63.16-1-67	Refund Issued	6/11/2020	624.33
125	Albany	311 First Street	65.56-3-45	Corrected Bill	6/30/2020	657.18
126	Albany	40 Second Street	76.72-3-9	Corrected Bill	6/30/2020	661.52
127	Albany	527 Second Street	65.39-1-77	Corrected Bill	6/30/2020	679.71
128	Albany	141 Clinton Street	76.72-2-72	Corrected Bill	6/30/2020	715.88
129	Albany	509 Morris Street	64.76-1-64	Corrected Bill	6/30/2020	734.18
130	Bethlehem	Western Avenue	85.09-3-10	Corrected Bill	1/29/2020	743.10
131	Rensselaerville	285 Hale Road	149.-1-4.1	Corrected Bill	1/29/2020	749.34
132	Albany	33 McCarty Avenue	76.80-2-53.1	Corrected Bill	6/30/2020	768.93
133	Albany	185 Second Street	65.65-2-65	Corrected Bill	6/30/2020	771.93
134	Albany	64 N Lake Avenue	65.62-1-60	Corrected Bill	6/30/2020	823.52
135	Albany	45 Lexington Avenue	65.64-2-20	Corrected Bill	6/30/2020	841.34
136	Albany	513 Third Street	65.38-1-36	Corrected Bill	6/30/2020	892.23
137	Cohoes	54 Ontario Street	11.62-1-11	Corrected Bill	6/30/2020	985.13
138	Albany	376 Delaware Avenue	76.61-2-45	Corrected Bill	6/30/2020	998.21
139	Colonie	23 Shepard Avenue	16.7-9-16	Corrected Bill	6/30/2020	1,010.81
140	Rensselaerville	3048 SR 145	171.-2-19	Corrected Bill	1/29/2020	1,033.68
141	Guilderland	183 Schoolhouse Road	63.00-1-10.1	Refund Issued	1/29/2020	1,035.39
142	Albany	525 Second Street	65.39-1-78	Corrected Bill	6/30/2020	1,095.94
143	Albany	145 Grand Street	76.57-1-40	Corrected Bill	6/30/2020	1,099.01
144	Rensselaerville	217 Fish Rd., Oak Hill, NY 12460	182.-1-24	Refund Issued	5/15/2020	1,125.91
145	Albany	259 Myrtle Avenue	76.31-1-79	Corrected Bill	6/30/2020	1,133.14
146	Rensselaerville	217 Fish Rd., Oak Hill, NY 12460	182.-1-24	Refund Issued	5/15/2020	1,176.50
147	Rensselaerville	217 Fish Rd., Oak Hill, NY 12460	182.-1-24	Refund Issued	5/15/2020	1,206.24
148	Albany	293 Second Street	65.56-2-54	Corrected Bill	6/30/2020	1,225.96
149	Albany	53 Rapp Road	52.6-2-28	Corrected Bill	6/30/2020	1,251.56
150	Cohoes	61 Main Street	10.67-1-28	Corrected Bill	6/30/2020	1,299.26
151	Albany	11 Jeannette Street	76.61-2-29	Corrected Bill	6/30/2020	1,312.50
152	Colonie	13 Spruce Street	53.5-2-21	Corrected Bill	6/30/2020	1,359.99
153	Albany	285 Northern Blvd	65.57-2-75	Corrected Bill	6/30/2020	1,467.08
154	Albany	202 Kent Street	64.44-2-47	Corrected Bill	6/30/2020	1,491.69
155	Bethlehem	40 Elm Ave E	109.00-2-17	Corrected Bill	1/29/2020	1,529.97
156	Cohoes	340 Saratoga Street	10.83-3-30	Corrected Bill	6/30/2020	1,568.62
157	Albany	1207 Broadway	66.37-1-31	Corrected Bill	6/30/2020	1,635.05
158	Albany	68 N Lake Avenue	65.63-3-75	Corrected Bill	6/30/2020	1,641.35
159	Colonie	22 Sherwood Drive	30.2-2-48	Corrected Bill	1/29/2020	1,659.13
160	Albany	336 Clinton Avenue	65.64-3-24	Corrected Bill	6/30/2020	1,725.52
161	Cohoes	22 Devlin Street	10.7-5-46	Corrected Bill	6/30/2020	1,736.25
162	Cohoes	159 Main Street	10.83-1-45	Corrected Bill	6/30/2020	1,870.87
163	Rensselaerville	2638 SR 145	181.-2-18	Corrected Bill	6/30/2020	2,281.83
164	Guilderland	6 Jani Ln Pr	61.00-1-31.14	Corrected Bill	1/29/2020	2,334.37
165	Cohoes	52 Amity Street	10.15-2-20	Corrected Bill	6/30/2020	2,367.12
166	Albany	623 Washington Ave	65.45-3-27	Corrected Bill	6/30/2020	2,433.43
167	Albany	79 Benson Street	65.45-2-42	Corrected Bill	6/30/2020	2,749.68
168	Colonie	62 Bridle Path	29.16-1-45	Corrected Bill	1/29/2020	3,011.80
169	Albany	407 First Street	65.55-6-61	Corrected Bill	6/30/2020	3,057.12
170	Colonie	171 Troy Schenectady Rd	32.1-2-5.2	Corrected Bill	6/30/2020	3,421.64
171	Albany	199 N Lake Avenue	65.47-4-48	Corrected Bill	6/30/2020	3,499.84

172	Colonie	78 Ahl Avenue	42.15-1-23	Corrected Bill	6/30/2020	3,668.62
173	Colonie	48 Vly Road	29.11-5-13.1	Corrected Bill	1/29/2020	4,311.37
174	New Scotland	1101 Delaware Tpke	95.-3-52	Corrected Bill	1/29/2020	4,581.30
175	Albany	311 Hackett Blvd	75.24-2-7	Corrected Bill	6/30/2020	5,263.52
176	Guilderland	1228 Western Avene	63.08-4-5	Corrected Bill	1/29/2020	10,282.84
177	Albany	412 Third Street	65.47-4-14	Corrected Bill	6/30/2020	10,303.95
178	Colonie	68 Exchange St	53.16-1-23.1	Refund Issued	12/14/2020	30,911.32
179	Albany	573 Second Street	65.38-2-52	Corrected Bill	6/30/2020	35,113.19
180	Albany	193 Colonie Street	65.66-1-32	Corrected Bill	6/30/2020	38,486.04
			65.79-1-17 65.79-1-36.1			
181	Albany	Israel Community Service Program	65.79-1-35.1	Corrected Bill	1/29/2020	108,970.37

**RESOLUTION NO. 122**

**AUTHORIZING THE COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES TO APPROVE CERTAIN APPLICATIONS MADE FOR CORRECTION OF TAX ROLL ERRORS, REFUNDS, AND CREDITS OF TAXES DURING THE 2021 CALENDAR YEAR WITHOUT PRIOR AUDIT BY THE LEGISLATURE**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, The Director of Real Property Tax Services has requested authorization to approve certain applications for correction of tax roll errors, refunds, and credits of taxes without prior audit and approval by this Honorable Body for the 2021 calendar year, and

WHEREAS, Real Property Tax Law §§ 554 (9), 556 (8), and 1532 (4) provide that applications for correction of tax roll errors, refunds, and credits of taxes in instances where the recommended correction, refund, or credit is \$2,500 or less may be decided by the Director of Real Property Tax Services without prior Legislative approval, now, therefore be it

RESOLVED, By the Albany County Legislature that the Director of Real Property Tax Services is authorized to approve applications for corrections of tax roll errors, refunds, and credits of taxes with recommended corrected amounts not to exceed \$1,000 without Legislative approval for each application, pursuant to Real Property Tax Law §§ 554 (9), 556 (8), and 1532 (4), for the 2021 calendar year and, be it further

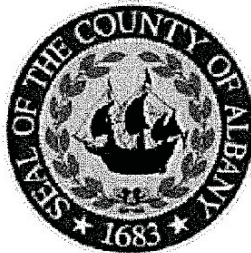
RESOLVED, That pursuant to Real Property Tax Law § 554 (9), the Director of Real Property Tax Services shall prepare written reports of his or her investigation and recommendation for such applications, and shall follow the procedure which the Legislature would follow in making corrections, except where the Director denies a correction, in whole or in part, the Director shall provide to the Legislature the written report of the investigation and recommendation and both copies of the application, as well as the written reasons why the Director denied the application, and, be it further

RESOLVED, That pursuant to Real Property Tax Law § 556 (8), the Director of Real Property Tax Services shall prepare written reports of his or her investigation and recommendation for such applications, and shall follow the procedure which the Legislature would follow in making refunds or credits, except where the Director denies a refund or credit, in whole or in part, the Director shall provide to the Legislature the written report of the investigation and recommendation and both copies of the application, as well as the written reasons why the Director denied the application, and, be it further

RESOLVED, That on or before the fifteenth day of each months in calendar year 2021, the Director shall submit a report to the Legislature of the corrections, refunds and credits processed by the Director pursuant to this enabling resolution during the preceding month, which report shall indicate the name of each recipient, the location of the property, justification for said request, and the amount requested, and, be it further

RESOLVED, That this authority granted to the Director of the Real Property Tax Services Agency shall be effective immediately through December 31, 2021, and, be it further

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



Daniel P. McCoy  
County Executive

Michael McGuire  
Director

COUNTY OF ALBANY  
REAL PROPERTY TAX SERVICE AGENCY  
112 State Street, Room 1340  
ALBANY, NEW YORK 12207  
OFFICE: (518) 487-5291  
FAX: (518) 447-2503  
[www.albanycounty.com](http://www.albanycounty.com)

February 4, 2021

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

Re: RP-554 Application for Corrected Tax Roll  
76 Woodlawn Dr, Ravena, NY  
Tax ID# 168.14-2-59

Dear Chairman Joyce,

Mrs. Dawn DeRose, Assessor for the Town of Coeymans, submitted an Application for Corrected Tax Roll to correct the 2021 property tax bill for 76 Woodlawn Drive, Ravena, NY. The 2021 property tax bill includes an erroneous school tax relevy. Due to a clerical error an incorrect assessed value was reported on the 2020 Final Assessment Roll. On 10/21/2021, after the 2020-2021 school tax bill was issued, the Coeymans Board of Assessment Review approved a correction to the 2020 Final Assessment Roll. However a correction application was not submitted to the Ravena Coeymans Selkirk Central School District. Because the school tax bill was not corrected, and went unpaid, the incorrect amount was relevied onto the January property tax bill. The Ravena Coeymans Selkirk CSD has approved the correction of the school tax bill and now the relevy amount has to be corrected

Real Property Tax Law 550(2)(i) allows for the correction of relevied school tax. I recommend that the Albany County Legislature approve the correction to the Tax Roll so that the tax bill reflect the correct school tax relevy of \$5,248.87.

Sincerely,

  
Michael McGuire, Director  
Real Property Tax Service Agency

CC: Dennis Feeny, Majority Leader  
Frank Mauriello, Minority Leader  
Kevin Cannizzaro, Majority Counsel  
Arnis Zilgme, Minority Counsel





# County of Albany

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

## Legislation Text

**File #:** TMP-2295, **Version:** 1

### **REQUEST FOR LEGISLATIVE ACTION**

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

Authorization to correct property tax bill for 76 Woodlawn Drive, Ravena NY

Date:	2/4/2021
Submitted By:	Michael McGuire
Department:	Real Property
Title:	Director
Phone:	518-487-5292
Department Rep.	
Attending Meeting:	Michael McGuire

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Authorization to correct tax bill for 76 Woodlawn Drive, Ravena, NY

**CONCERNING BUDGET AMENDMENTS**

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

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

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

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

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

Mrs. Dawn DeRose, Assessor for the Town of Coeymans, submitted an Application for Corrected Tax Roll to correct the 2021 property tax bill for 76 Woodlawn Drive, Ravena, NY. The 2021 property tax bill includes an erroneous school tax relevy. Due to a clerical error an incorrect assessed value was reported on the 2020 Final Assessment Roll. On 10/21/2021, after the 2020-2021 school tax bill was issued, the Coeymans Board of Assessment Review approved a correction to the 2020 Final Assessment Roll. However a correction application was not submitted to the Ravena Coeymans Selkirk Central School District. Because the school tax bill was not corrected, and went unpaid, the incorrect amount was relevied onto the January property tax bill. The Ravena Coeymans Selkirk CSD has approved the correction of the school tax bill and now the relevy amount has to be corrected

Real Property Tax Law 550(2)(i) allows for the correction of relevied school tax. I recommend that the Albany County Legislature approve the correction to the Tax Roll so that the tax bill reflect the correct school tax relevy of \$5,248.87.

Town of Coeymans Correction



Department of Taxation and Finance  
Office of Real Property Tax Services

# Application for Corrected Tax Roll

## RP-554

(12/19)

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

Names of owners James E. & Karen L. Costello				
Mailing address of owners (number and street or PO box) 76 Woodlawn Drive			Location of property (street address)	
City, village, or post office Ravena		State NY	ZIP code 12143	
Daytime contact number 518-526-0120		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 168.14-2-59
Account number (as appears on tax bill) 2020-001635			Amount of taxes currently billed 6,327.35	
Reasons for requesting a correction to tax roll: After the revaluation project, it was brought to our attention that the assessment was not in line with the surrounding properties.				

I hereby request a correction of tax levied by Coeymans for the year(s) 2020.  
(County, city, village, etc.)

Signature of applicant <i>L. Dawn DeRose</i>	Date 12-2-20
---	-----------------

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

Date application received 1/25/2021	Period of warrant for collection of taxes 9/1/2020
Last day for collection of taxes without interest 9/30/2020	Recommendation Approve application <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <i>[Signature]</i>	Date 1/25/2021

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

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

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

Clerical error  Error in essential fact  Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): \_\_\_\_\_

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

TOWN OF COEYMANS  
Office of the Assessor  
18 Russell Avenue  
Ravena, New York 12143  
(518) 756-6006 extension 3  
assessor@coeymans.org

December 12, 2020

Director, Albany County Real Property Tax Service  
112 State Street, 13<sup>th</sup> Floor  
Albany, NY 12207

Regarding: James & Karen Costello- 168.14-2-59

Dear Director,

Due to a clerical error, after the revaluation project, it was brought to our attention that the assessment was not in line with the surrounding properties.

The property owner is requesting a corrected school tax bill. Enclosed are copies of the original school tax bill and a copy of the Town tax bill with the school relevy on it. The Town tax bill should be 1,715.98.

I am submitting application for the corrected tax bill, using RP 554.

If you have any questions or need further information, please contact my office.

Sincerely,



Dawn DeRose,  
Assessor Town of Coeymans

Collection: Town & County 2021

Fiscal Year Start: 1/1/2021

Fiscal Year End: 12/31/2021

Warrant Date: 1/1/2021

Total Tax Due (minus penalties & interest) \$8,621.65

\$8,621.65

Pay Full

Tax Bill #	SWIS	Tax Map #	Status
000746	012401	168.14-2-59	Unpaid
Address		Municipality	School
76 Woodlawn Dr		Town of Coeymans	Rvena-Coeymn-Selk

**Owners**

Costello James E  
 Costello Karen L  
 76 Woodlawn Dr  
 Ravena, NY 12143

**Property Information**

Roll Section: 1  
 Property Class: 2 Family Res  
 Lot Size: 0.27

**Assessment Information**

Full Market Value: 277900.00  
 Total Assessed Value: 277900.00  
 Uniform %: 100.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
County Tax	2056942	9.0000	277900.000	3.52040000	\$978.32
Town Tax	1556207	5.2000	277900.000	2.65441800	\$737.66
School Relevy	0	0.0000	0.000	0.00000000	<del>\$6,905.67</del>

Total Taxes: ~~\$8,621.65~~

6,964.85

5248.87

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 01, 2021	\$8,621.65	\$0.00	\$0.00	\$8,621.65
Feb 02	Mar 01, 2021	\$8,621.65	\$86.22	\$0.00	\$8,707.87
Mar 02	Mar 31, 2021	\$8,621.65	\$172.43	\$0.00	\$8,794.08

Estimated State Aid - Type	Amount
County	96037904.00

**Mail Payments To:**

Cindy Rowzee, Town Clerk  
 Tax Collector  
 18 Russell Ave. Ravena, NY 12143



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

RP-553 (1/06)

NOTICE AND PETITION OF ASSESSOR TO THE BOARD OF ASSESSMENT  
REVIEW FOR THE Town of Coeymans (assessing unit) FOR  
CORRECTION OF THE 2020 FINAL ASSESSMENT ROLL

To be completed in duplicate by assessor, or designated member of the Board of Assessors. Assessor is to transmit copy by certified mail, return receipt requested, to individual named in Part 2, item 1, EXCEPT where the proposed correction will result in a lower assessment. Transmit original to Chairman of Board of Assessment Review

PART 1: NOTICE OF PETITION

You are hereby notified that the Board of Assessment Review for Town of Coeymans will convene at 6 (a.m./p.m.) on 10/21/2020 at 18 Russell Avenue, Ravena, NY 12143 for the purpose of acting on the Assessor's or Board of Assessor's petition (see below) to correct the 2020 final assessment roll.

Note: You may appear at the meeting and present any information relevant to the petition below. The Board of Assessment Review will notify the tax levying body of any changes to be made. The tax levying body will then notify you of any such change.

PART 2: PETITION

James E. & Karen L. Costello

1a. Name of Owner  
76 Woodlawn Drive

Ravena, NY 12143

1b. Mailing Address

1c. E-mail Address (optional)

168.14-2-59

Day 518 526-0120 Evening ( )

2. Telephone Number

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 2020-001635

6a. Entry appearing on final assessment roll:

Land Value 38,000  
Total Value 335,000  
Exempt Value \_\_\_\_\_

6b. Entry on final assessment roll should be:

Land Value 38,000  
Total Value 277,900  
Exempt Value \_\_\_\_\_

7. Type of error (see definitions on reverse side):

- Clerical error, as defined in Sec. 550 (2), para. \_\_\_\_\_
- Error in essential fact, as defined in Sec. 550 (3), para. \_\_\_\_\_
- Unlawful entry, as defined in Sec. 550(7), para. \_\_\_\_\_
- Omitted parcel of taxable real property or an omitted improvement on current or preceding year's assessment roll.
- Incorrect grant of partial exemption on preceding year's assessment roll; no transfer of title has occurred.

- An entry of assessed valuation of taxable State-owned land on current or preceding year's roll which is less than amount approved by the Office of Real Property Tax Services.
- An entry of assessed valuation of a special franchise on current or preceding year's roll which is less than final assessment thereof made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

8. Describe how error occurred (Be specific; do not repeat definitions on reverse side; attach documentation) After the revaluation project, it was brought to our attention that the assessment was not in line with the surrounding properties.

(Use additional sheets if necessary)

I, Dawn DeRose, Assessor or designated member of the majority of the Board of Assessors of the Town of Coeymans, hereby petition the Board of Assessment Review to correct the 2020 final assessment roll as indicated above.

Assessing Unit

10/21/20

Date

Dawn DeRose

Assessor's signature

To be completed by **CHAIRMAN OF BOARD OF ASSESSMENT REVIEW:**

Final assessment (to be included on verified statement of changes) ..... \$ 277,900

REMARKS:

10/21/2020  
Date

  
Signature of Chairman of Board of Assessment Review

**Real Property Tax Law, Section 550(2):**

A "clerical error" means:

- (a) an entry of assessed value on the assessment roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) [not applicable to final assessment rolls];
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on an assessment roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor; or
- (h), (i) [not applicable to final assessment rolls].

**Real Property Tax Law, Section 550(3):**

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) the omission of the value of an improvement present on real property prior to taxable status date;
- (e) an incorrect entry of a partial exemption for a parcel which is not eligible for such exemption; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

**Real Property Tax Law, Section 550(7):**

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the State Board for the assessment roll upon which that value appears.



Approve school bill correction



Department of Taxation and Finance  
Office of Real Property Tax Services

# Application for Corrected Tax Roll

# RP-554

(12/19)

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

Names of owners James E. & Karen L. Costello					
Mailing address of owners (number and street or PO box) 76 Woodlawn Drive			Location of property (street address)		
City, village, or post office Ravena		State NY	ZIP code 12143		City, town, or village
Daytime contact number 518-526-0120		Evening contact number		Tax map number of section/block/lot: Property Identification (see tax bill or assessment roll) 168.14-2-59	
Account number (as appears on tax bill) 2020-001635			Amount of taxes currently billed 6,327.35		
Reasons for requesting a correction to tax roll: After the revaluation project, it was brought to our attention that the assessment was not in line with the surrounding properties.					

I hereby request a correction of tax levied by Coeymans for the year(s) 2020  
(County, city, village, etc.)

Signature of applicant <i>L. Dawn DeRose</i>	Date <i>12-2-20</i>
---	------------------------

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

Date application received <i>1/25/2021</i>	Period of warrant for collection of taxes <i>9/1/2020</i>
Last day for collection of taxes without interest <i>9/30/2020</i>	Recommendation Approve application <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <i>[Signature]</i>	Date <i>1/25/2021</i>

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

### Part 3 – For use by the tax levying body or official designated by resolution \_\_\_\_\_ (insert number or date, if applicable)

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

Clerical error  Error in essential fact  Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): \_\_\_\_\_

Signature of chief executive officer, or official designated by resolution <i>[Signature]</i>	Date <i>2/4/2021</i>
--	-------------------------

Motion Approved: 7-0-0

6.5 Be it resolved that upon the recommendation of the Superintendent of Schools, the Board of Education approves the Budgetary Transfer totaling in the amount of \$40,000.00 from various budget codes to re-class the Consultant MS Principal as per attached.

APPROVED

Motion by: Mr. Engel, seconded: Mr. McFerran

Engel - Y Hill-Burns - 0 Hotaling - Y Hyslop - Y Klein - Y  
McFerran - Y Reville - Y Ross - Y Shackelton - 0

Motion Approved: 7-0-0

6.6 BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the corrected tax roll for the property below from the Town of Coeymans for the 2020 bill year:

APPROVED

James E. & Karen L. Costello – SBL: 168.14-2-59 (Change in assessment)  
2020 Correct amount: \$5,248.87– reduction of \$1,078.48 (Billed \$6,327.35)  
No refund due to taxpayer

Motion by: Mr. Engel, seconded: Mr. McFerran

Engel - Y Hill-Burns - 0 Hotaling - Y Hyslop - Y Klein - Y  
McFerran - Y Reville - Y Ross - Y Shackelton - 0

Motion Approved: 7-0-0

6.7 Be it resolved that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the unrestricted grant from GE Gas Power in the amount of \$950.00 for the Robotics team to help develop the Robotics program.

APPROVED

Motion by: Mr. Engel, seconded: Mr. McFerran

Engel - Y Hill-Burns - 0 Hotaling - Y Hyslop - Y Klein - Y  
McFerran - Y Reville - Y Ross - Y Shackelton - 0

Motion Approved: 7-0-0

**7. Personnel Considerations:**

Personnel actions are contingent upon each selected Applicant's fingerprint supported criminal history background check in accordance with SAVE Legislation effective July 1, 2001.

7.1 Be it resolved that upon the recommendation of the Superintendent of Schools, the Board of Education approves the resignation of Natassia Fitzgerald, Bus Driver, effective February 12, 2021.

APPROVED

Motion by: Mr. Engel, seconded: Mr. McFerran

**Ravena-Coeymans-Selkirk**  
518 - 756 - 5200

COSTELLO JAMES E  
COSTELLO KAREN L  
76 WOODLAWN DR  
RAVENA, NY 12143

**Notice of 2020 School Tax**  
SBL: 168.14-2-59  
ADDR: 76 WOODLAWN DR  
SWIS: 012401 Ravena  
Bill #: 2020-001635

MAIL PAYMENT WITH REMITTANCE STUB TO:

TAX PROCESSING UNIT  
RAVENA-COEYMAN-SELKIRK  
PO BOX 14195  
ALBANY, NY 12212 - 4195

ASSESSMENT INFORMATION

Full Market Value as of July 01, 2020 \$335,000.00  
Total Assessed Value as of July 01, 2020 \$335,000.00  
Uniform Percentage of Value 100.00

Exemption

Ex Amt

277,900  
277,900

PROPERTY TAXES			
Taxable Assessed		Non-Homestead	
<u>Before STAR</u>	<u>Rate per \$1000</u>	<u>Rate per \$1000</u>	<u>Taxes Due</u>
Sch . \$335,000.00	18.4657		\$6,186.01
Lib: \$335,000.00	0.4219		\$141.34
<b>Total Tax Due:</b>			\$6,327.35

5,131.62  
117.25  

---

5,248.87  
MW

SEND STUB WITH PAYMENT 2020 - 2021 SCHOOL TAX INSTALLMENT #1 168.14-2-59

Mark here [ ] for receipt Ravena-Coeymans-Selkirk

DUE WITHOUT PENALTY BY Sep 30, 2020



2020-001635-1

<u>If Paid Between</u>	<u>Penalty Amt</u>	<u>Total Due</u>
Sep 01 - Sep 30	\$0.00	\$6,327.35
Oct 01 - Oct 31	\$126.55	\$6,453.90

**RESOLUTION NO. 123**

**AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF COEYMANS**

Introduced: 4/12/21  
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 Coeymans be corrected with respect to the following parcel 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>
Dawn DeRose Assessor	76 Woodlawn Drive Tax Map No. 168.14-2-59 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.



Daniel P. McCoy  
County Executive

Michael McGuire  
Director

COUNTY OF ALBANY  
REAL PROPERTY TAX SERVICE AGENCY  
112 State Street, Room 1340  
ALBANY, NEW YORK 12207  
OFFICE: (518) 487-5291  
FAX: (518) 447-2503  
[www.albanycounty.com](http://www.albanycounty.com)

February 24, 2021

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

Re: RP-554 Application for Corrected Tax Roll  
16 Andrew Ct, Town of Bethlehem  
Tax ID# 63.12-5-20.1


Dear Chairman Joyce,

Ms. Laurie Lambertsen, Assessor for the Town of Bethlehem, submitted an Application for Corrected Tax Roll to correct the 2021 property tax bill for 16 Andrew Ct, Bethlehem, NY. The 2021 property tax bill includes an erroneous school tax relevy.

The Town of Bethlehem acquired the aforementioned property on June 6, 2016. The assessor's office failed to acknowledge the transfer; therefore, the property did not receive the town owned property exemption. The Town of Bethlehem is a wholly exempt entity. Because the school tax bill was not corrected, and went unpaid, the incorrect amount was relevied onto the January property tax bill. The Guilderland CSD has approved the correction of the school tax bill and now the relevy amount has to be corrected.

Real Property Tax Law 550(2)(i) allows for the correction of relevied school tax. I recommend that the Albany County Legislature approve the correction to the Tax Roll so that the tax bill reflect the correct school tax relevy of \$0.00.

Sincerely,

  
Michael McGuire, Director  
Real Property Tax Service Agency

CC: Dennis Feeny, Majority Leader  
Frank Mauriello, Minority Leader  
Kevin Cannizzaro, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

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

## Legislation Text

**File #:** TMP-2329, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

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

Authorization to correct the tax roll for 16 Andrew Ct, Town of Bethlehem

Date: 2/24/2021  
 Submitted By: Michael McGuire  
 Department: Real Property Tax Service Agency  
 Title: Director  
 Phone: 518-487-5292  
 Department Rep.  
 Attending Meeting: [Click or tap here to enter text.](#)

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Authorization to correct tax roll for 16 Andrew Ct, Town of Bethlehem

**CONCERNING BUDGET AMENDMENTS**

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

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

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

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

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

Ms. Laurie Lambertsen, Assessor for the Town of Bethlehem, submitted an Application for Corrected Tax Roll to correct the 2021 property tax bill for 16 Andrew Ct, Bethlehem, NY The 2021 property tax bill includes an erroneous school tax relevy.

The Town of Bethlehem acquired the aforementioned property on June 6, 2016. The assessor's office failed to acknowledge the transfer; therefore, the property did not receive the town owned property exemption. The Town of Bethlehem is a wholly exempt entity. Because the school tax bill was not corrected, and went unpaid, the incorrect amount was relevied onto the January property tax bill. The Guilderland CSD has approved the correction of the school tax bill and now the relevy amount has to be corrected

Real Property Tax Law 550(2)(i) allows for the correction of relevied school tax. I recommend that the Albany County Legislature approve the correction to the Tax Roll so that the tax bill reflect the correct school tax relevy of \$0.00.





Department of Taxation and Finance  
Office of Real Property Tax Services

# Application for Corrected Tax Roll

**RP-554**  
(12/19)

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

Names of owners <b>Town of Bethlehem</b>					
Mailing address of owners (number and street or PO box) <b>445 Delaware Avenue</b>			Location of property (street address) <b>16 Andrew Court</b>		
City, village, or post office <b>Delmar</b>		State <b>NY</b>	ZIP code <b>12054</b>	City, town, or village <b>Albany</b>	
				State <b>NY</b>	ZIP code <b>12203</b>
Daytime contact number		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) <b>63.12-5-20.1</b>	
Account number (as appears on tax bill) <b>9043</b>			Amount of taxes currently billed <b>15.32</b>		
Reasons for requesting a correction to tax roll: <b>Due to a clerical error, a sale was omitted from this property. The current owner was added to this property. The current owner is tax exempt.</b>					

I hereby request a correction of tax levied by Town of Bethlehem for the year(s) 2020/2021 tax bill  
(County, city, village, etc.)

Signature of applicant <i>Lauri Lambert</i>	Date <b>2/11/21</b>
--	------------------------

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

Date application received <b>2/19/2021</b>	Period of warrant for collection of taxes <b>1/1/2021</b>
Last day for collection of taxes without interest <b>1/31/2021</b>	Recommendation <b>Approve application</b> <input checked="" type="checkbox"/> <b>Deny application</b> <input type="checkbox"/>
Signature of official <i>[Signature]</i>	Date <b>2/24/2021</b>

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

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

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

Clerical error  Error in essential fact  Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

**Application denied** (reason): \_\_\_\_\_

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

### Instructions

#### General information

##### Where to send

Submit two copies of this application to the County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer).

##### When to send

Submit the application only **before** the collection warrant expires.

##### Wholly exempt parcel

Attach statement signed by assessor or majority of board of assessors substantiating that assessor obtained proof that parcel should have been granted tax exempt status on tax roll.

#### Payment requirements

You may pay without interest and penalties **only** if:

- the application was filed with the County Director on or before the last day that taxes may be paid without interest (see *Date application received* in Part 2); **and**
- you pay the corrected tax within eight days of the date on which the notice of approval is mailed to the applicant (see Part 3).

If either of these conditions is not satisfied, interest, penalties, or both must be paid on the corrected tax.

#### For use by Collecting Officer:

Order from tax levying body received on \_\_\_\_\_  
Date

Corrected tax due	Date tax roll corrected
Interest and penalties (if applicable)	Date tax bill corrected
Total corrected tax due	Date application and order added to tax roll
Date payment received	

Signature of collecting officer	Date
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*David Van Luven*  
Town Supervisor

*Laurie Lambertsen*  
Assessor

# TOWN OF BETHLEHEM

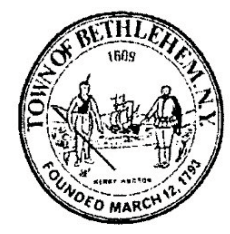
*Albany County - New York*

## ASSESSOR'S OFFICE

445 DELAWARE AVENUE  
DELMAR, NEW YORK 12054

(518) 439-4955 x1101

Email: llambert@townofbethlehem.org



February 11, 2021

Michael Maguire, Director  
Albany County Real Property Services  
112 State Street, Room 1340  
Albany, NY 12207

Re: Thomas Paonessa  
16 Andrew Court  
63.12-5-20.1

Dear Mike:

Enclosed please find form RP 554 and a copy of the Town of Bethlehem tax bill for the year 2021. Due to a clerical error, a sale was inadvertently omitted from this property. The Town of Bethlehem should have been reflected as the owner whereas a tax would be omitted. This bill has not been paid.

The corrected bill should reflect the following:

Tax Year	Tax Amt of Current Bill	Tax Amt of Adjusted Bill	Refund Amt
2021	\$15.32 w/school relevy	\$0	\$0

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Laurie Lambertsen  
Assessor

LL/dv

Enclosures

**TOWN OF BETHLEHEM**

**2021 PROPERTY TAX BILL**

Bill No: 9043

\*For Fiscal Year 01/01/2021 to 12/31/2021

\* Warrant Date 12/31/2020

Tax ID: 30754

**MAKE CHECKS PAYABLE TO**

Receiver of Taxes  
 PO Box 10698  
 Albany, NY 12201-2698  
 Phone: (518) 439-4955 Extension 1181



Paonessa Thomas  
 31 Pine St  
 ALBANY NY 12203

**PAYMENTS**

Please review payment options on the reverse side.

**SWIS S/B/L Address & Legal Description**

012200 63.12-5-20.1  
 Address: 16 ANDREW CT  
 Muni: BETHLEHEM  
 School: GUILDERLAND CENTRAL-246  
 NYS Tax & Finance School District Code:  
 RES VAC LAND Roll Sect: 1  
 Parcel Dimensions: 35.0100 X 173.8100  
 Bank Code:

Estimated State Aid: CNTY 96,037,904  
 TOWN 1,780,638

**PROPERTY TAXPAYER'S BILL OF RIGHTS**

The assessor estimates the **Full Market Value** of this property as of 07/01/2019 was: 526  
 The Total Assessed Value of this property is: 500  
 The **Uniform Percentage of Value** used to establish assessments in your municipality was: 095.00 %

If you feel your assessment is too high, you have the right to seek a reduction in the future. For further information, please ask your assessor for the booklet, "How to File a Complaint on Your Assessment". Please note that the period for filing complaints on the above assessment has passed.

Exemption      Value    Tax Purpose      Exemption      Value    Tax Purpose      Exemption      Value    Tax Purpose

**PROPERTY TAXES**

<u>Taxing Purpose</u>	<u>Total Tax Levy</u>	<u>% Change From Prior Year</u>	<u>Taxable Assessed Value or Units</u>	<u>Rates Per \$1000 Or Per Unit</u>	<u>Tax Amount</u>
COUNTY PURPOSES	14,025,623	1.1	500	3,695200	1.85
GENERAL FUND TAX	3,789,377	11.5	500	.998391	.50
HIGHWAY TAX	6,479,744	.0	500	1,707225	.85
WATER DISTRICT #1	2,339,788	.4	500	.599292	.30
SEWER EXT 14	205,920	1.3	500	.328081	.16
ALBANY COUNTY EMS	1,217,885	.9	500	.302960	.15
DELMAR-BETHLEHEM EMS	161,000	2.3	500	.040050	.02
ELMWOOD PARK FIRE DISTRICT	602,287	1.2	500	2,279532	1.14
SCHOOL RELIEVY					10.35

**PAYMENT SCHEDULE**

<u>Penalty / Int.</u>	<u>Amount</u>	<u>Total Due</u>
Pay By: 2/01/2021 .00	15.32	15.32
3/01/2021 .15	15.32	15.47
3/31/2021 .31	15.32	15.63

**TOTAL TAXES DUE: \$15.32**

Apply For Third Party Notification By:  
 Taxes paid by

CA CH

012200 63.12-5-20.1  
 Town of: BETHLEHEM  
 School: GUILDERLAND CENTRAL-246  
 Property Address: 16 ANDREW CT

**TOWN OF BETHLEHEM  
 2021 PROPERTY TAX BILL  
 Receiver's Stub**

Bill No.: 9043      Tax ID: 30754  
 Bank Code:

Paonessa Thomas  
 31 Pine St  
 ALBANY NY 12203

<u>Pay by:</u>	<u>2/01/2021</u>	<u>.00</u>	<u>15.32</u>	<u>15.32</u>
3/01/2021	.15		15.32	15.47
3/31/2021	.31		15.32	15.63

**Total Taxes Due: \$15.32**

RECEIPTS CAN BE DOWNLOADED FROM WWW.TOWNOFBETHLEHEM.ORG

\*\*RECEIVER STUB MUST BE INCLUDED WITH PAYMENT

000030754000000015326

FOR COUNTY USE ONLY

C1. SWIS Code 012200

C2. Date Deed Recorded 10/26/16

C3. Book 2016 C4. Page 25040

New York State Department of Taxation and Finance  
Office of Real Property Tax Services  
**RP-5217-PDF**  
Real Property Transfer Report (8/10)

**PROPERTY INFORMATION**

1. Property Location  
\*STREET NUMBER: Bethlehem \*STREET NAME: \_\_\_\_\_  
\*CITY OR TOWN: Bethlehem \*VILLAGE: \_\_\_\_\_ \*ZIP CODE: 12054

2. Buyer Name  
\*LAST NAME/COMPANY: Town of Bethlehem \*FIRST NAME: \_\_\_\_\_

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

4. Indicate the number of Assessment Roll parcels transferred on the deed \_\_\_\_\_ # of Parcels OR  Part of a Parcel (Only if Part of a Parcel) Check as they apply:  
4A. Planning Board with Subdivision Authority Edicts   
4B. Subdivision Approval was Required for Transfer   
4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size  
\*FRONT FEET: X \*DEPTH: \_\_\_\_\_ OR \*ACRES: 0.22

8. Seller Name  
\*LAST NAME/COMPANY: T.P. Builders, Inc. \*FIRST NAME: \_\_\_\_\_

7. Select the description which most accurately describes the use of the property at the time of sale:  
C. Residential Vacant Land   
8. Ownership Type is Condominium   
9. New Construction on a Vacant Land   
10A. Property Located within an Agricultural District   
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

**SALE INFORMATION**

11. Sale Contract Date: \_\_\_\_\_

12. Date of Sale/Transfer: 06/06/2016

13. Full Sale Price: 0.00  
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale: 0.00

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

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

16. Year of Assessment Roll from which information taken(YY) \_\_\_\_\_ \*17. Total Assessed Value \_\_\_\_\_

\*18. Property Class 311 \*18. School District Name Bethlehem Central

\*20. Tax Map Identifier(s)/Roll Identifier(s) (if more than four, attach sheet with additional Identifier(s))  
Not Yet Assessed

**CERTIFICATION**

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

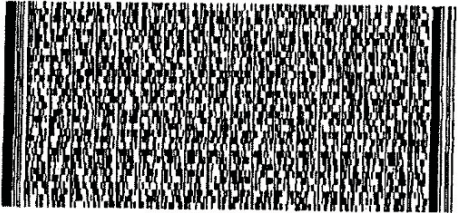
Mary L Pasnera 6/6/16  
SELLER SIGNATURE DATE

[Signature]  
BUYER SIGNATURE DATE

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

TOWN OF BETHLEHEM  
\*LAST NAME: \_\_\_\_\_ \*FIRST NAME: \_\_\_\_\_  
\*AREA CODE: \_\_\_\_\_ \*TELEPHONE NUMBER (EX. 999999): \_\_\_\_\_  
445 Delaware Avenue  
\*STREET NUMBER: \_\_\_\_\_ \*STREET NAME: \_\_\_\_\_  
Delmar NY 12054  
\*CITY OR TOWN: \_\_\_\_\_ \*STATE: NY \*ZIP CODE: 12054

**BUYER'S ATTORNEY**  
\*LAST NAME: \_\_\_\_\_ \*FIRST NAME: \_\_\_\_\_  
\*AREA CODE: \_\_\_\_\_ \*TELEPHONE NUMBER (EX. 999999): \_\_\_\_\_





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

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



INSTRUMENT #: R2016-25040

Receipt#: 20160091923  
 Clerk: DK  
 Rec Date: 10/26/2016 09:52:23 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 6  
 Rec'd Frm: TOWN OF BETHLEHEM

Party1: TP BUILDERS INC  
 Party2: TOWN OF BETHLEHEM  
 Muni: BETHLEHEM TOWN

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	9.00
RP5217 All others - State	241.00

Sub Total: 325.00

Transfer Tax  
 Transfer Tax - State 0.00

Sub Total: 0.00

Total: 325.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 2061  
 Transfer Tax  
 Consideration: 0.00

Total: 0.00

Record and Return To:

TOWN OF BETHLEHEM  
 445 DELAWAE AVENUE  
 DELMAR NY 12054

Bruce A. Hidley  
 Albany County Clerk

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

*Blk  
5/11*

N.Y. DEED WARRANTY WITH LIEN COVENANT

RECORD & RETURN TO:  
Rowlands & LeFrou, PLLC  
11 British American Boulevard  
Latham, New York 12110

**THIS INDENTURE**, made as of June 6, 2016, between **T.P. BUILDERS, INC.**, a New York corporation with a principal place of business located at 31 Pine Street, Albany, New York 12203, Grantor, and **TOWN OF BETHLEHEM**, having its principal office located at 445 Delaware Avenue, Delmar, New York 12054, Grantee;

**WITNESSETH** that the Grantor, in consideration of Ten and 00/100 Dollars (\$10.00) lawful money of the United States, and other good and valuable consideration paid by the Grantee, do hereby grant and release unto the Grantee, their heirs and assigns forever,

All that piece of parcel of land, situate in the Town of Bethlehem, County of Albany, State of New York, lying northerly of the New York State Thruway-Interstate 87, westerly of Pine Street, southerly of Andrew Court, and being more particularly bounded and described as follows;

Beginning at a point on the westerly line of Pine Street at its intersection with the division line between Lot 1712 on the north and Lot 1713 on the south, being lands now or formerly of Laura Paonessa (L. 2094 P. 815) as the same is shown on a map entitled "Map of Three Hills Terrace, Plan No. 3, Situated On The Great Western Turnpike In The Towns Of Bethlehem And Guilderland, N.Y., Owned By J. Wilbur" as prepared by A.L. Elliott, C.E. on April 28, 1913, and filed in the Albany County Clerk's Office in Closet No. 2, Drawer No. 36, as Map No. 247, said point also being on the division line between Lot 14 being #31 Pine Street on the north and Lot 15 being #16 Andrew Court the herein described on the south; running thence South 30° 05' 01" West along the westerly line of Pine Street for a distance of 173.81 feet to a point, said point also being the intersection of the westerly line of Pine Street and the northerly line New York State Thruway-Interstate 87 as appropriated in 1950; thence North 41° 10' 09" West along said northerly line and through Lot 1718 for a distance of 34.21 feet to a point; thence continuing along the northerly line of New York State Thruway-Interstate 87 as appropriated in 2010 and through Lot 1718 and 1717, Lot 1662 and 1663, Lot 1649 and 1648 and crossing Grove Place the following two (2) courses and distances:

- 1) Thence North 48° 49' 51" East for a distance of 20.00 feet to a point; and
- 2) Thence North 41° 10' 09" West for a distance of 305.23 feet to a point, said point also being on the division line between Lot 9 being #22 Andrew Court on the west and Lot 15 being #16 Andrew Court the herein described on the east; thence North 30° 05' 01" East along said division line continuing through lands now or formerly of Laura Paonessa (L. 2442 P. 1060) also being Lots 1648 thru 1646 for a distance of 74.78 feet to a point, said point also being on the division line between Lot 10 being #18 Andrew Court on the north and Lot 15 being #16 Andrew Court the herein described on the south; thence along said division line and continuing through lands now or formerly of Laura Paonessa (L. 2442 P. 1060) also being Lot 1646 and Grove Place in part with Lot 10 being # 18 Andrew Court on the north and west and Lot 15 being #16 Andrew Court the herein described on the south and east the following two (2) courses and distances:

*RR*  
Town of Bethlehem  
Town Clerk's Office  
445 Delaware Avenue  
Delmar, NY 12054

1) Thence South 59° 54' 59" East for a distance of 100.00 feet to a point; and  
 2) Thence North 30° 05' 01" East for a distance of 146.00 feet to a point, said point also being on the proposed southerly line of Andrew Court; thence South 59° 54' 59" East along the proposed southerly line of Andrew Court for a distance of 35.01 feet to a point, said point also being on the division line between Lot 14 being #31 Pine Street on the east and Lot 15 being #16 Andrew Court the herein described on the west, said point also being on the easterly line of Grove Place; thence along said division line and through lands now or formerly of Laura Paonessa (L. 2094 P. 815) with Lot 14 being #31 Pine Street on the east and north and Lot 15 being #16 Andrew Court the herein described on the west and south the following three (3) courses and distances:

1) Thence South 30° 05' 01" West along the easterly line of Grove Place and Lot 1672 in part and Lots 1671 thru 1668 for a distance of 145.00 feet to a point, said point also being on the division line between Lot 1668 on the north and Lot 1667 on the south;

2) Thence South 14° 54' 59" East and through Lot 1667 for a distance of 42.43 feet to a point, said point also being on the division line between Lot 1667 on the north and Lot 1666 on the south; and

3) Thence South 59° 54' 59" East along said division line and also along the aforementioned division line between Lot 1712 on the north and Lot 1713 on the south for a distance of 150.00 feet to the point and place of beginning, containing 0.95 acre of land more or less.

Subject to any and all easements, conditions covenants and/or restrictions of record that may affect the above described parcel.

ALSO, together with a temporary grading easement along the division line between Lot 15 being #16 Andrew Court and Lot 14 being #31 Pine Street which shall terminate upon completion of construction of the **storm water management area** and being more particularly bounded and described as follows;

Beginning at a point on the westerly line of Pine Street at its intersection with the division line between Lot 1712 on the north and Lot 1713 on the south, being lands now or formerly of Laura Paonessa (L. 2094 P. 815) as the same is shown on a map entitled "Map of Three Hills Terrace, Plan No. 3, Situated On The Great Western Turnpike In The Towns Of Bethlehem And Guilderland, N.Y., Owned By J. Wilbur" as prepared by A.L. Elliott, C.E. on April 28, 1913, and filed in the Albany County Clerk's Office in Closet No. 2, Drawer No. 36, as Map No. 247, said point also being on the division line between Lot 14 being #31 Pine Street on the north and Lot 15 being #16 Andrew Court on the south; running thence North 30° 05' 01" East along the westerly line of Pine Street for a distance of 35.00 feet to a point; thence through lands now or formerly of Laura Paonessa (L. 2094 P. 815) known as Lot 14 being #31 Pine Street and also through Lot 1711, Lots 1668 thru 1671 and Lot 1672 in part the following three (3) courses and distances:

1) Thence North 59° 54' 59" West for a distance of 149.65 feet to a point;

2) Thence North 14° 54' 59" West for a distance of 14.63 feet to a point; and

3) Thence North 30° 05' 01" East for a distance of 129.65 feet to a point, said point also being on the proposed southerly line of Andrew Court; thence North 59° 54' 59" West along the proposed southerly line of Andrew Court for a distance of 20.00 feet to a point, said point also being on the division line between Lot 14 being #31 Pine Street on the east and Lot 15 being #16 Andrew Court on the west, said point also being on the easterly line of Grove Place; thence along

*RR*  
 Town of Bethlehem  
 Town Clerk's Office  
 445 Delaware Avenue  
 Delmar, NY 12054



said division line and through lands now or formerly of Laura Paonessa (L. 2094 P. 815) with Lot 14 being #31 Pine Street on the east and north and Lot 15 being #16 Andrew Court on the west and south the following three (3) courses and distances:

1) Thence South 30° 05' 01" West along the easterly line of Grove Place and Lot 1672 in part and Lots 1671 thru 1668 for a distance of 145.00 feet to a point, said point also being on the division line between Lot 1668 on the north and Lot 1667 on the south;

2) Thence South 14° 54' 59" East and through Lot 1667 for a distance of 42.43 feet to a point, said point also being on the division line between Lot 1667 on the north and Lot 1666 on the south; and

3) Thence South 59° 54' 59" East along said division line and also along the aforementioned division line between Lot 1712 on the north and Lot 1713 on the south for a distance of 150.00 feet to the point and place of beginning, containing 0.20 acre of land more or less.

Subject to any and all easements, conditions covenants and/or restrictions of record that may affect the above described parcel.

The above described being more fully shown on a map entitled "Subdivision Plat, The Grove, Andrew Court, Pine Street & Grove Place", Town of Bethlehem, County of Albany, State of New York as prepared by Ingalls & Associates, LLP on November 19, 2009 and to be filed in the Albany County Clerk's Office.

**BEING** the same premises conveyed by Marcella Cabral as Guardian to T.P. Builders, Inc. by deed dated June 22, 2009 and recorded in the Albany County Clerk's Office on June 29, 2009 in Book 2952 of Deeds at Page 797.

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, their heirs and assigns forever.

**AND** the Grantor covenants as follows:

**FIRST**, That the Grantee shall quietly enjoy the said premises;

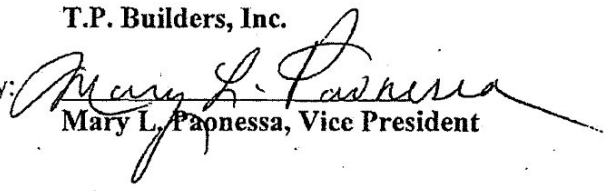
**SECOND**, That the Grantor will forever **WARRANT** the title to said premises.

**THIRD**, That, in Compliance with Sec. 13 of the Lien Law, the grantor(s) will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

*KL*  
Town of Bethlehem  
Town Clerk's Office  
445 Delaware Avenue  
Delmar, NY 12054

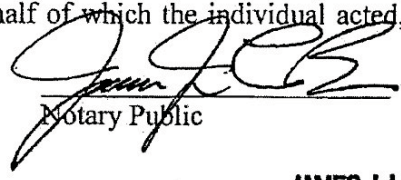
IN WITNESS WHEREOF, the Grantor has duly executed this deed as of the date first above written.

T.P. Builders, Inc.

By:   
Mary L. Paonessa, Vice President

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

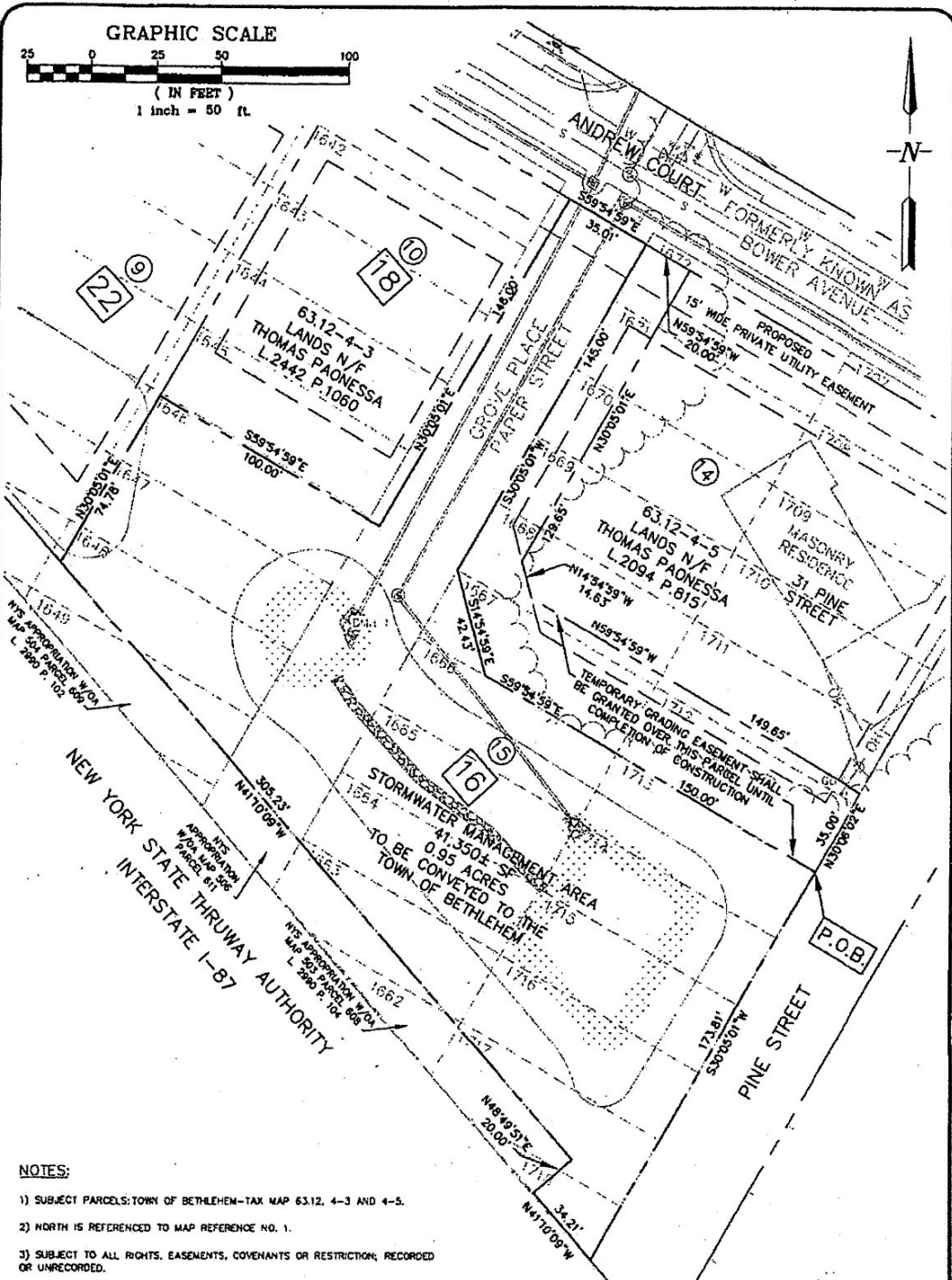
On the 6<sup>th</sup> day of June, in the year 2016 before me, the undersigned, personally appeared **Mary L. Paonessa**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

  
Notary Public

S:\Rldocs\T.P. Builders, Inc.-Grove Subdivision-2582.01\Town Of Bethlehem Development\Deed - Stormwater Parcel.Doc

**JAMES J. LEBROU**  
Notary Public, State of New York  
No. 02LE6220269  
Qualified In Schenectady County  
Commission Expires April 12, 2018

RR Town of Bethlehem  
Town Clerk's Office  
445 Delaware Avenue  
Delmar, NY 12054



**NOTES:**

- 1) SUBJECT PARCELS: TOWN OF BETHELEM-TAX MAP 63.12, 4-3 AND 4-5.
- 2) NORTH IS REFERENCED TO MAP REFERENCE NO. 1.
- 3) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS, RECORDED OR UNRECORDED.
- 4) SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- 5) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
- 6) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1966 AND LAST REVISED ON JULY 15, 1997.

**MAP REFERENCES:**

- 1) MAP ENTITLED "SUBDIVISION PLAT, THE GROVE, ANDREW COURT, PINE STREET & GROVE PLACE" TOWN OF BETHELEM, COUNTY OF ALBANY, STATE OF NEW YORK AS PREPARED BY INGALLS & ASSOCIATES, LLP ON NOVEMBER 19, 2009 AND TO BE FILED IN THE ALBANY COUNTY CLERK'S OFFICE.
- 2) MAP ENTITLED "MAP OF THREE HILLS TERRACE, PLAN NO. 3, SITUATED ON THE GREAT WESTERN TURNPIKE IN THE TOWN OF BETHELEM AND GUILDERLAND, N.Y., OWNED BY J. WILBUR" AS PREPARED BY A. L. ELLIOTT, C.E., DATED APRIL 28, 1913 AND FILED IN THE ALBANY COUNTY CLERK'S OFFICE IN CLOSET 2, DRAWER NO. 36 AS MAP NO. 247.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209 SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES MADE FROM THE ORIGINAL OF THIS DRAWING BEARING AN ORIGINAL INKED OR EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

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**ingalls**  
 ingalls & associates, LLP  
 engineers / surveyors  
 8603 GUILDERLAND AVENUE  
 SCENESDELAVER, N.Y. 12158  
 PHONE: (518) 393-7725  
 FAX: (518) 393-8224

MAP OF LANDS TO BE CONVEYED TO THE TOWN OF BETHELEM STORMWATER MANAGEMENT PARCEL LOT 15 - #16 ANDREW COURT TOWN OF BETHELEM COUNTY OF ALBANY STATE OF NEW YORK	
DATE: MARCH 5, 2014	CHECKED BY: J.P. JOB NO. 09-010
DRAWN BY: CADD FILE: 09-010 Storm Parcel	SCALE: 1" = 50'
SHEET 1 OF 1	

Town of Bethlehem  
Town Clerk's Office

**RESOLUTION NO. 124**

**AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF BETHLEHEM**

Introduced: 4/12/21  
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 DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</u>	<u>REASON FOR CORRECTION</u>
Laurie Lambersten Assesor	16 Andrew Court Tax Map No. 63.12-5-20.1 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.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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

M. DAVID REILLY, JR.  
COMMISSIONER

CHANDRA WILLIAMS  
DEPUTY COMMISSIONER

February 22, 2021

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

Dear Chairman Joyce:

Legislative authorization is requested to rescind the authorization to transfer tax foreclosed property foreclosed property located in the City of Albany, 20 Judson Street to The Albany County Land Bank Corporation pursuant to ABL Resolution No. 271 of 2018 and convey this property to abutting property owner James Scaringe.

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

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

Thank you for your consideration.

Sincerely Yours,

M. David Reilly, Jr  
Commissioner

cc:

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



# County of Albany

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

## Legislation Text

**File #:** TMP-2344, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to rescind the authorization to convey property and authorize the conveyance to an abutting property owner  
.title

Requesting Legislative Action to rescind the authorization to the convey property 20 Judson Street to the Albany County Land Bank Corporation and authorize the conveyance to an abutting property owner James Scaringe

Date:	February 26, 2021
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael McLaughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

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

- Contractual

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

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

### **CONCERNING CONTRACT AUTHORIZATIONS**

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

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

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

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

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

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

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

### **CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

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

Source of Funding - (Percentages)

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

Term

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

Impact on Pending Litigation

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

Previous requests for Identical or Similar Action:

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

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

Requesting legislative authority to rescind the authorization to convey property located in the City of Albany 20 Judson Street Tax Map No. 65.55-6-40 to The Albany County Land Bank Corporation per ABL Res No.271 of 2018 and convey this property to abutting property owner, James Scaringe, 41 James Drive, Albany NY 12211 for \$3,200. This transfer is in accordance with Resolution No. 29 of 2019, which states "Properties which will be discretionally conveyed by the County to individuals or entities who own abutting or adjacent parcels ".

James Scaringe who owns the abutting property at 22 Judson Street plans to use this property for greenspace and off street parking.

A review of properties in the ownership of James Scaringe indicates there are no delinquent taxes and no outstanding code violations assessed against them.

The following will be part of the sale of this property and is requested to be stated in the resolution of sale:

At the closing: All closings costs. A prorated share of the 2020/2021 School Taxes. A prorated share of the 2021 Property taxes.

After the closing: All Taxes, water, sewer and other charges billed on and after the date of the closing shall be the



responsibility of James Scaringe.

James Scaringe  
41 James Dr.  
Albany, N.Y. 12211  
February 2, 2021

Daniel P. McCoy  
Albany County Executive  
Harold L. Joyce Albany County Office Building  
112 State St., Room 1200  
Albany, N.Y. 12207

Honorable Daniel McCoy,

I have submitted an offer for a vacant lot at 20 Judson St. in the City of Albany, County of Albany, in the amount of three thousand two hundred dollars (3200.00). This lot is currently owed by the County of Albany.

I am trying to purchase this property because I owed the property at 22 Judson St. and want to use the lot at 20 Judson St for a lawn and a driveway for 22 Judson St.

This use of the lot at 20 Judson St. would benefit the community by removing a couple of cars from parking on Judson St., and would beautify the neighborhood by being one of the few houses in the area that have a lawn.

Other properties I own in Albany County are: 23 McCardle Ave., Albany; 587 Second St., Albany; 38 Exchange St., Colonie; 424 Broadway, Menands; 41 James Dr., Colonie.

Sincerely,

---

James Scaringe



**DEPARTMENT OF MANGEMENT AND BUDGET**

**Purchaser Review**

**PROPERTY INFORMATION**

<p><b>Municipality - Albany</b></p> <p><b>Address of Property -20 Judson Street</b></p> <p><b>Tax Map Number- 65.55-6-40</b></p> <p><b>Property Description-Vacant Lot</b></p>
--

**PROPOSED PURCHASER AND PROPERTIES OWNED**

<p>James Scaringe</p> <p>Colonie-28 Emery Ave-4 Essex Ave-424 Broadway Albany- 23 Mc Cardle Ave - 587 Second St</p>
---

**CODE ENFORCEMENT INFORMATION**

No outstanding violations-Verified with City of Albany Code Enforcement officer 2/8/2021

No outstanding violations-Verified with Town of Colonie Code Enforcement officer 2/4/2021

No outstanding violations-Verified with Village of Menands Code Enforcement officer 2/5/2021

**DELINQUENT TAX INFORMATION**

No delinquent taxes-Verified with Albany County Tax Records Supervisor 2/22/2021

**COUNTY FORECLOSURE INFORMATION**

Not Applicable

Signed----------

**ANTHONY DILELLA**

**Property Manager**

**DATE—February 22, 2021**



March 1, 2021

Board of Directors

Charles Touhey, Chair  
*Touhey Associates*

Natisha M. Alexander, Treasurer  
*Resident*

Samuel Wells, Secretary  
*Resident*

Mark Bobb-Semple  
*Resident*

Anthony Capece  
*Executive Director, Central Avenue  
BID*

Joseph J. LaCivita  
*City of Watervliet*

Juanita Nabors  
*Resident*

David C. Rowley  
*Managing Partner, Cooper Erving &  
Savage*

Chris Spencer  
*City of Albany*

Executive Director

Adam Zaranko

Mike McLaughlin  
Director of Policy and Research  
Office of the Albany County Executive  
112 State Street, Room 1200  
Albany, NY 12207

**Re: 20 Judson Street, Albany, New York (Tax Map No: 65.55-6-40)**

Mr. McLaughlin,

Albany County has authorized the transfer of the subject property to the Albany County Land Bank ("Land Bank").

It is our understanding that Albany County would like to proceed with an alternative disposition of the subject property.

The Albany County Land Bank does not desire to acquire the subject property.

Sincerely,

Adam Zaranko  
Executive Director

02/22/2021 09:54 | TEST DATABASE Jul 16 2019  
 cmurray | Real Estate Tax Statement

| P 1  
 | txtaxstm

PARCEL: 06505500060400000000

LOCATION: 20 JUDSON ST

OWNER:  
 POLOGA DOUGLAS J  
 39 TEN EYCK AVE  
 ALBANY NY 12209

STATUS:  
 SQUARE FEET: 0  
 LAND VALUATION: 15,000  
 BUILDING VALUATION: 0  
 EXEMPTIONS: 0  
 TAXABLE VALUATION: 15,000  
 INTEREST PER DIEM 5,855.20

LEGAL DESCRIPTION:

DEED DATE: BOOK/PAGE: INTEREST DATE: 02/28/2021

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	RE-1	6697				
1	ALBANY PRO		219.09	219.09	87.64	306.73
	5 PERCENT		47.25	47.25	.00	47.25
	ALBANY WAT		242.93	242.93	97.17	340.10
	OTHER CHAR		483.00	483.00	193.20	676.20
			992.27	992.27	378.01	1,370.28
			992.27	992.27	378.01	1,370.28
2017	RE-E	4819				
1	ALBANY SCH		347.59	347.59	149.46	497.05
	5% PERCENT		17.38	17.38	.00	17.38
	MAILING CH		1.00	1.00	.00	1.00
			365.97	365.97	149.46	515.43
			365.97	365.97	149.46	515.43
2017	RE-1	6426				
1	ALBANY PRO		217.74	217.74	113.22	330.96
	5 PERCENT		23.04	23.04	.00	23.04
	ALBANY WAT		242.96	242.96	126.34	369.30
	ALB-WCF		483.00	483.00	251.16	734.16
			966.74	966.74	490.72	1,457.46
			966.74	966.74	490.72	1,457.46
2016	RE-E	4057				
1	ALBANY SCH		335.51	335.51	184.53	520.04
	5% PERCENT		16.78	16.78	.00	16.78
	MAILING CH		1.00	1.00	.00	1.00

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cmurray

TEST DATABASE Jul 16 2019  
Real Estate Tax Statement

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YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			353.29	353.29	184.53	537.82
			353.29	353.29	184.53	537.82
2016	RE-1	70468				
1	ALBANY PRO		216.62	216.62	138.64	355.26
	5 PERCENT		22.98	22.98	.00	22.98
	ALBANY WAT		242.98	242.98	155.51	398.49
	MAILING CH		1.00	1.00	.00	1.00
	LEGAL CHAR		150.00	150.00	.00	150.00
			633.58	633.58	294.15	927.73
			633.58	633.58	294.15	927.73
2015	RE-E	5230				
1	ALBANY SCH		333.65	333.65	223.55	557.20
	5% PERCENT		16.68	16.68	.00	16.68
	LEGAL CHAR		150.00	150.00	.00	150.00
			500.33	500.33	223.55	723.88
			500.33	500.33	223.55	723.88
2015	RE-1	7537				
1	ALBANY PRO		506.00	506.00	384.56	890.56
	5 PERCENT		37.45	37.45	.00	37.45
	ALBANY WAT		242.98	242.98	184.66	427.64
	MAILING CH		1.00	1.00	.00	1.00
			787.43	787.43	569.22	1,356.65
			787.43	787.43	569.22	1,356.65
2014	RE-1	7047				
1	ALBANY PRO		485.61	485.61	427.34	912.95
	5 PERCENT		44.41	44.41	.00	44.41
	ALBANY WAT		240.28	240.28	211.45	451.73
	OTHER CHAR		162.35	162.35	142.87	305.22
	MAILING CH		1.00	1.00	.00	1.00
			933.65	933.65	781.66	1,715.31
			933.65	933.65	781.66	1,715.31

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cmurray

TEST DATABASE Jul 16 2019  
Real Estate Tax Statement

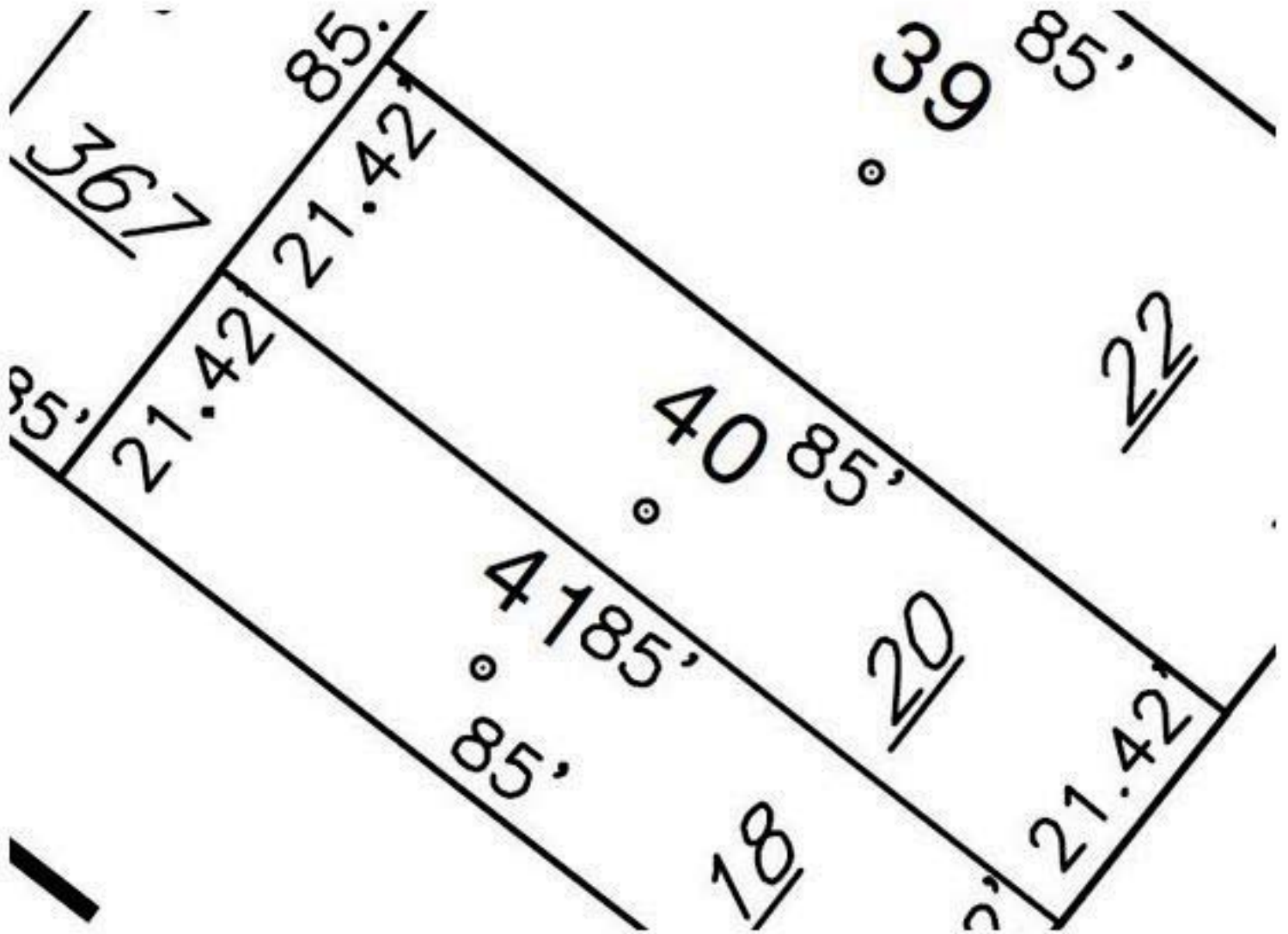
P 3  
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2014	LIEN	1232				
1	ALB SCH LN		957.34	957.34	612.70	1,570.04
	LEGAL CHAR		150.00	150.00	.00	150.00
			1,107.34	1,107.34	612.70	1,720.04
			1,107.34	1,107.34	612.70	1,720.04
2013	LIEN	1400				
1	ALB SCH LN		1,009.16	1,009.16	575.22	1,584.38
			1,009.16	1,009.16	575.22	1,584.38
2013	LIEN	1882				
1	ALB LIENS		808.37	808.37	808.37	1,616.74
	LEGAL CHAR		150.00	150.00	.00	150.00
	TITLE SEAR		290.00	290.00	.00	290.00
			1,248.37	1,248.37	808.37	2,056.74
			1,248.37	1,248.37	808.37	2,056.74
2012	LIEN	2143				
1	ALB SCH LN		1,014.09	1,014.09	699.72	1,713.81
	LEGAL CHAR		195.00	195.00	.00	195.00
			1,209.09	1,209.09	699.72	1,908.81
			1,209.09	1,209.09	699.72	1,908.81
GRAND TOTALS			10,107.22	10,107.22	5,767.31	15,874.53

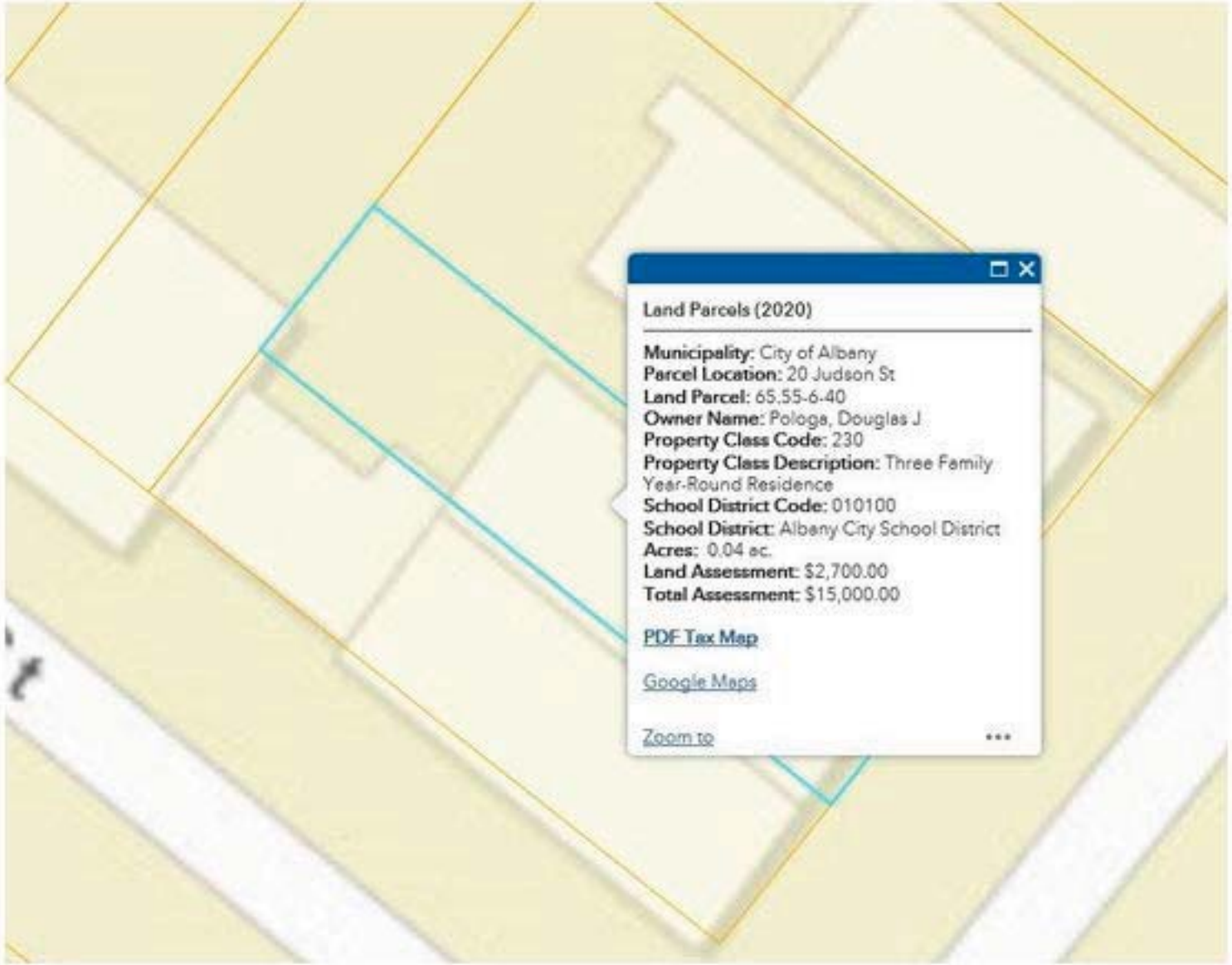
PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT  
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,  
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE  
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE  
AMOUNT OWED WILL RESULT IN THE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

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

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







**Land Parcels (2020)**

**Municipality:** City of Albany  
**Parcel Location:** 20 Judson St  
**Land Parcel:** 65.55-6-40  
**Owner Name:** Pologa, Douglas J  
**Property Class Code:** 230  
**Property Class Description:** Three Family  
Year-Round Residence  
**School District Code:** 010100  
**School District:** Albany City School District  
**Acres:** 0.04 ac  
**Land Assessment:** \$2,700.00  
**Total Assessment:** \$15,000.00

[PDF Tax Map](#)

[Google Maps](#)

[Zoom to](#)

...

**RESOLUTION NO. 125**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 271 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 20 JUDSON STREET (TAX MAP NO. 65.55-6-40) IN THE CITY OF ALBANY**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 271 for 2018, this Honorable Body authorized the conveyance of various parcels of real property to the Albany County Land Bank, including 20 Judson Street (Tax Map No. 65.55-6-40) in the City of Albany, and

WHEREAS, James Scaringe, an abutting property owner, has indicated an interest in acquiring this parcel for \$3,200, 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 Nos. 271 for 2018 are hereby amended by rescinding the authorization to convey 20 Judson street (Tax Map No. 65.55-6-40) 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 20 Judson Street (Tax Map No. 65.55-6-40) in the City of Albany to James Scaringe, 41 James Drive, Albany, NY 12211 for the amount of \$3,200, and, be it further

RESOLVED, That James Scaringe shall be responsible for all closing costs, a pro-rated portion of the 2020-2021 Albany School taxes, a pro-rated portion of the 2021 Property taxes, and 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.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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

M. DAVID REILLY, JR.  
COMMISSIONER

CHANDRA WILLIAMS  
DEPUTY COMMISSIONER

February 22, 2021

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

Dear Chairman Joyce:

Legislative authorization is requested to rescind the authorization to transfer tax foreclosed property foreclosed property located in the City of Albany, 91 Alexander Street to the ACLB HOLDINGS, LLC pursuant to ABL Resolution No. 346 of 2019 and convey this property to abutting property owners Joyce and Douglas Brown.

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

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

Thank you for your consideration.

Sincerely Yours,

M. David Reilly, Jr  
Commissioner

cc:

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



# County of Albany

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

## Legislation Text

File #: TMP-2343, Version: 1

### REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to rescind the authorization to convey property and authorize the conveyance to an abutting property owner

Requesting Legislative Action to rescind the authorization to convey property 91 Alexander Street to the ACLB Holdings, LLC and authorize the conveyance to an abutting property owners Joyce and Douglas Brown

Date:	February 26, 2021
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony Dilella
Attending Meeting:	David Reilly/Michael McLaughlin

#### Purpose of Request:

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

### CONCERNING BUDGET AMENDMENTS

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

- Contractual

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

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

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

Source of Funding - (Percentages)

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

Term

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

Impact on Pending Litigation

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

Previous requests for Identical or Similar Action:

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

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

Requesting legislative authority to rescind the authorization to convey property located in the City of Albany 91 Alexander Street Tax Map No. 76.64-1-33 to the ACLB HOLDINGS, LLC per ABL Res No.346 of 2019 and convey this property to abutting property owners, Joyce and Douglas Brown, 93 Alexander Street, Albany NY, 12202 for \$500. This transfer is in accordance with Resolution No. 29 of 2019 which states "Properties which will be discretionally conveyed by the County to individuals or entities who own abutting or adjacent parcels ".

Joyce and Douglas Brown who own the abutting property at 93 Alexander Street are planning to use this property for greenspace and off street parking.

A review of Joyce and Douglas Brown's properties indicates there are no delinquent taxes and no outstanding code violations assessed against them.

The following will be part of the sale of this property and is requested to be stated in the resolution of sale:

At the closing: All closings costs. A prorated share of the 2020/2021 School Taxes. A prorated share of the 2021 Property taxes.

After the closing: All Taxes, water, sewer and other charges billed on and after the date of the closing shall be the

responsibility of Joyce and Douglas Brown.

February 8, 2021

Daniel P. McCoy  
Albany County Executive  
Harold L. Joyce Albany County Office Building  
112 State Street. Room 1200  
Albany, New York 12207

Re: 91 Alexander Street

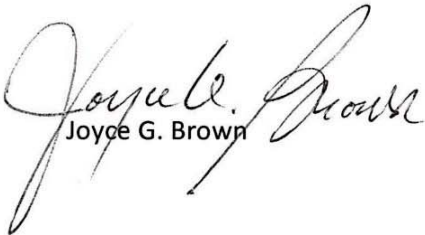
Dear Mr. McCoy:

As budding property owners in the Capital District, my husband and I are grateful for the opportunity to present our offer for the above property, which is \$500.00.

We have lived in this location (93 Alexander Street) for more than 40 years and have seen many changes, some of which were not pleasant. Therefore, we feel that any small changes that we can make to add to the betterment of our community is a worthwhile investment, not only for us, but for the community as well. We tire of the houses with the big Xs and vacant unkempt lots in our community. Having said that, we intend to use a portion of the property as green space as well as occasionally off street parking.

Thank you again for this opportunity.

Sincerely,

  
Joyce G. Brown

  
Douglas Brown





**DEPARTMENT OF MANGEMENT AND BUDGET**

**Purchaser Review**

**PROPERTY INFORMATION**

<p><b>Municipality - Albany</b></p> <p><b>Address of Property -91 Alexander Street</b></p> <p><b>Tax Map Number-76.64-1-33</b></p> <p><b>Property Description-Vacant Lot</b></p>
--

**PROPOSED PURCHASER AND PROPERTIES OWNED**

<p><b>Proposed Purchasers- Douglas and Joyce Brown</b></p> <p><b>93 Alexander Street</b></p>
--

**CODE ENFORCEMENT INFORMATION**

No outstanding violations-Verified with City of Albany Code Enforcement officer 2/8/2021

**DELINQUENT TAX INFORMATION**

No delinquent taxes-Verified with Albany County Tax Records Supervisor 2/8/2021

**COUNTY FORECLOSURE INFORMATION**

Not Applicable

Signed----------

**ANTHONY DILELLA**

**Property Manager**

**DATE—February 16, 2021**



March 3, 2021

Board of Directors

Charles Touhey, Chair  
*Touhey Associates*

Natisha M. Alexander, Treasurer  
*Resident*

Samuel Wells, Secretary  
*Resident*

Mark Bobb-Semple  
*Resident*

Anthony Capece  
*Executive Director, Central Avenue  
BID*

Joseph J. LaCivita  
*City of Watervliet*

Juanita Nabors  
*Resident*

David C. Rowley  
*Managing Partner, Cooper Erving &  
Savage*

Chris Spencer  
*City of Albany*

Executive Director

Adam Zaranko

Mike McLaughlin  
Director of Policy and Research  
Office of the Albany County Executive  
112 State Street, Room 1200  
Albany, NY 12207

**Re: 91 Alexander Street, Albany, New York (Tax Map No: 76.64-1-33)**

Mr. McLaughlin,

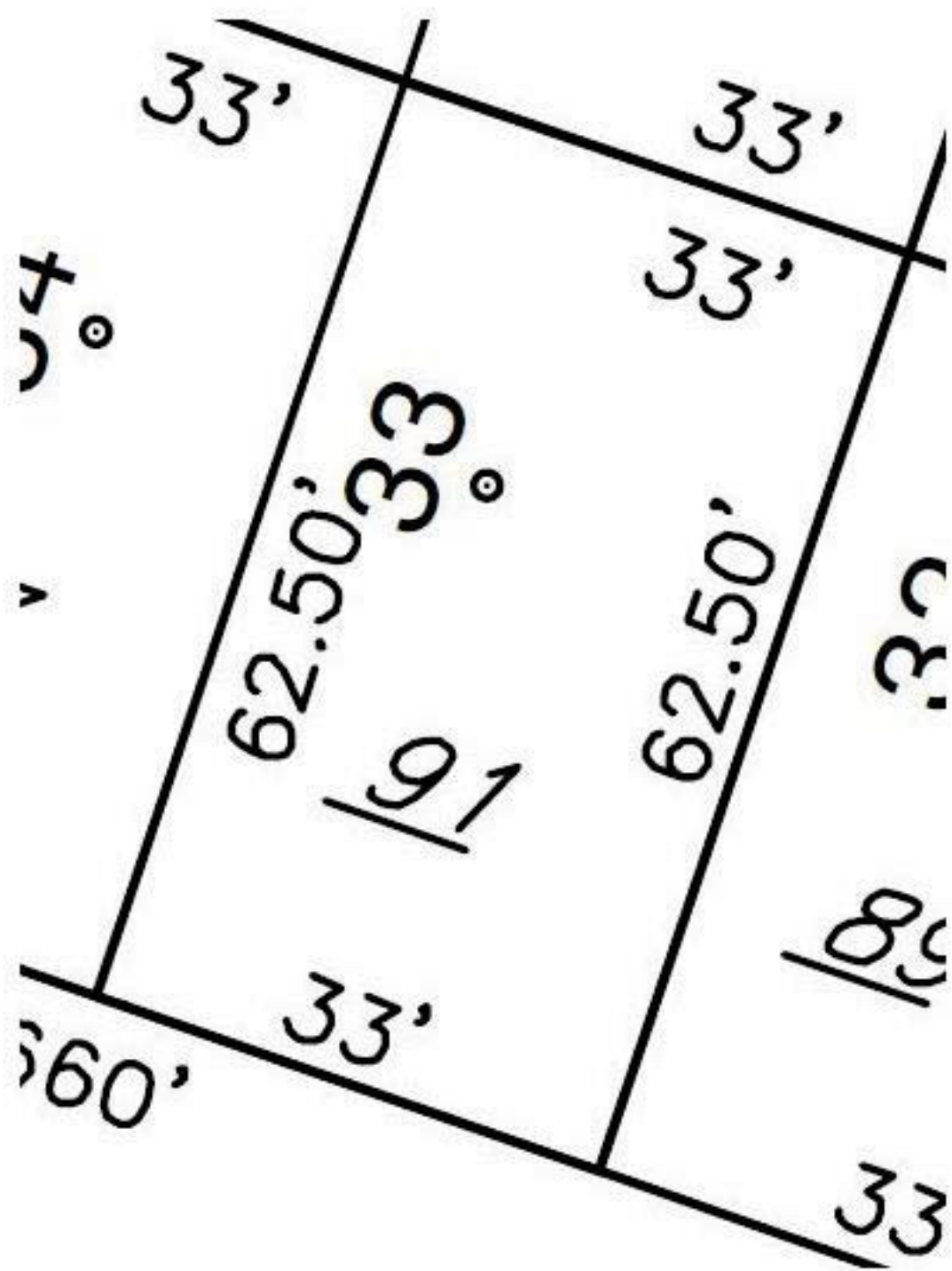
Albany County has authorized the transfer of the subject property to the ACLB Holdings, LLC, a wholly owned subsidiary of the Albany County Land Bank formed under the laws of New York State.

It is our understanding that Albany County would like to proceed with an alternative disposition of the subject property.

ACLB Holdings, LLC does not intend to acquire the subject property.

Sincerely,

Adam Zaranko  
Executive Director



02/22/2021 09:52 | TEST DATABASE Jul 16 2019  
 cmurray | Real Estate Tax Statement

| P 1  
 | txtaxstm

PARCEL: 07606400010330000000

LOCATION: 91 ALEXANDER ST

OWNER:  
 WALTERS PATRICK  
 79 CATHERINE ST  
 ALBANY NY 12202

STATUS:  
 SQUARE FEET: 0  
 LAND VALUATION: 43,500  
 BUILDING VALUATION: 0  
 EXEMPTIONS: 0  
 TAXABLE VALUATION: 43,500  
 INTEREST PER DIEM 19,534.84

LEGAL DESCRIPTION:

DEED DATE: BOOK/PAGE: INTEREST DATE: 02/28/2021

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2017	RE-1	5892				
1	ALBANY PRO		773.53	773.53	402.24	1,175.77
	5 PERCENT		50.72	50.72	.00	50.72
	ALBANY WAT		240.86	240.86	125.25	366.11
	MAILING CH		1.00	1.00	.00	1.00
			1,066.11	1,066.11	527.49	1,593.60
			1,066.11	1,066.11	527.49	1,593.60
2016	RE-E	3981				
1	ALBANY SCH		1,285.12	1,285.12	706.82	1,991.94
	5% PERCENT		64.26	64.26	.00	64.26
	MAILING CH		1.00	1.00	.00	1.00
			1,350.38	1,350.38	706.82	2,057.20
			1,350.38	1,350.38	706.82	2,057.20
2016	RE-1	70269				
1	ALBANY PRO		530.29	530.29	339.39	869.68
	5 PERCENT		40.78	40.78	.00	40.78
	ALBANY WAT		285.29	285.29	182.59	467.88
	MAILING CH		1.00	1.00	.00	1.00
			857.36	857.36	521.98	1,379.34
			857.36	857.36	521.98	1,379.34
2015	RE-1	6967				
1	ALBANY PRO		534.83	534.83	406.47	941.30
	5 PERCENT		38.79	38.79	.00	38.79
	ALBANY WAT		240.89	240.89	183.08	423.97
	MAILING CH		1.00	1.00	.00	1.00

02/22/2021 09:52  
cmurray

TEST DATABASE Jul 16 2019  
Real Estate Tax Statement

P 2  
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
			815.51	815.51	589.55	1,405.06
			815.51	815.51	589.55	1,405.06
2014	RE-1	8482				
1	ALBANY PRO		547.72	547.72	481.99	1,029.71
	5 PERCENT		39.34	39.34	.00	39.34
	ALBANY WAT		239.01	239.01	210.33	449.34
	MAILING CH		1.00	1.00	.00	1.00
			827.07	827.07	692.32	1,519.39
			827.07	827.07	692.32	1,519.39
2013	LIEN	1603				
1	ALB SCH LN		1,216.73	1,216.73	693.54	1,910.27
			1,216.73	1,216.73	693.54	1,910.27
2013	LIEN	2254				
1	ALB LIENS		792.21	792.21	792.21	1,584.42
	LEGAL CHAR		150.00	150.00	.00	150.00
	TITLE SEAR		290.00	290.00	.00	290.00
			1,232.21	1,232.21	792.21	2,024.42
			1,232.21	1,232.21	792.21	2,024.42
2012	LIEN	1658				
1	ALB LIENS		1,237.25	1,237.25	1,385.72	2,622.97
			1,237.25	1,237.25	1,385.72	2,622.97
2012	LIEN	2273				
1	ALB SCH LN		1,157.77	1,157.77	798.86	1,956.63
	LEGAL CHAR		150.00	150.00	.00	150.00
			1,307.77	1,307.77	798.86	2,106.63
			1,307.77	1,307.77	798.86	2,106.63
2011	LIEN	2011				
1	ALB SCH LN		1,959.91	1,959.91	1,822.72	3,782.63
	LEGAL CHAR		150.00	150.00	.00	150.00
			2,109.91	2,109.91	1,822.72	3,932.63

02/22/2021 09:52  
cmurray

TEST DATABASE Jul 16 2019  
Real Estate Tax Statement

P 3  
txtaxstm

YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			2,109.91	2,109.91	1,822.72	3,932.63
2011	LIEN 1 ALB LIENS	3010	1,159.24	1,159.24	1,437.46	2,596.70
			1,159.24	1,159.24	1,437.46	2,596.70
2010	LIEN 1 ALB SCH LN LEGAL CHAR	1912	1,967.72 150.00	1,967.72 150.00	1,829.98 .00	3,797.70 150.00
			2,117.72	2,117.72	1,829.98	3,947.70
			2,117.72	2,117.72	1,829.98	3,947.70
2010	LIEN 1 ALB LIENS	2514	1,268.33	1,268.33	1,724.93	2,993.26
			1,268.33	1,268.33	1,724.93	2,993.26
2009	LIEN 1 ALB LIENS	2068	915.79	915.79	1,355.37	2,271.16
			915.79	915.79	1,355.37	2,271.16
2009	LIEN 1 ALB SCH LN LEGAL CHAR	2263	2,004.05 100.00	2,004.05 100.00	2,104.25 .00	4,108.30 100.00
			2,104.05	2,104.05	2,104.25	4,208.30
			2,104.05	2,104.05	2,104.25	4,208.30
2008	LIEN 1 ALB SCH LN LEGAL CHAR LEGAL CHAR	1628	2,006.86 150.00 100.00	2,006.86 150.00 100.00	2,348.03 .00 .00	4,354.89 150.00 100.00
			2,256.86	2,256.86	2,348.03	4,604.89
			2,256.86	2,256.86	2,348.03	4,604.89

02/22/2021 09:52  
cmurray

TEST DATABASE Jul 16 2019  
Real Estate Tax Statement

P 4  
txtaxstm

YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
GRAND TOTALS			21,842.29	21,842.29	19,331.23	41,173.52

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

PAYMENT MADE TO:

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

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

(1 of 2)

**Land Parcels (2020)**

**Municipality:** City of Albany

**Parcel Location:** 91 Alexander St

**Land Parcel:** 76.64-1-33

**Owner Name:** Walters, Patrick

**Property Class Code:** 433

**Property Class Description:** Auto Body, Tire Shops Other Related Auto Sales

**School District Code:** 010100

**School District:** Albany City School District

**Acres:** 0.05 ac.

**Land Assessment:** \$7,100.00

**Total Assessment:** \$43,500.00

[PDF Tax Map](#)

[Google Maps](#)

[Zoom to](#)





**RESOLUTION NO. 126**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NOS. 203 AND 349 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 91 ALEXANDER STREET (TAX MAP NO. 76.64-1-33) IN THE CITY OF ALBANY**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution Nos. 203 and 346 for 2019, this Honorable Body authorized the conveyance of various parcels of real property to ACLB Holdings LLC., a subsidiary of the Albany County Land Bank, including 91 Alexander Street (Tax Map No. 76.64-1-33) in the City of Albany, and

WHEREAS, Joyce and Douglas Brown, abutting property owners, have indicated an interest in acquiring this parcel for \$500, 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 Nos. 203 and 349 for 2019 are hereby amended by rescinding the authorization to convey 91 Alexander Street (Tax Map No. 76.64-1-33) 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 91 Alexander Street (Tax Map No. 76.64-1-33) in the City of Albany to Joyce and Douglas Brown, 93 Alexander Street, Albany, NY 12202 for the amount of \$500, and, be it further

RESOLVED, That Joyce and Douglas Brown shall be responsible for all closing costs, a pro-rated portion of the 2020-2021 Albany School taxes, a pro-rated portion of the 2021 Property taxes, and 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.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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

M. DAVID REILLY, JR  
COMMISSIONER

CHANDRA WILLIAMS  
DEPUTY COMMISSIONER

February 4, 2021

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

Dear Chairman Joyce:

Legislative authorization is requested to rescind the authorization to transfer tax foreclosed property located in the City of Albany, 443 North Pearl Street to Mr. Jason Pierce pursuant to ABL Resolution numbers 154 and 549 of 2019 and convey this property to an abutting property owner Watters Real Property LLC. .

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

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

Thank you for your consideration.

Sincerely Yours,

M. David Reilly, Jr  
Commissioner

cc:

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



# County of Albany

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

## Legislation Text

File #: TMP-2302, Version: 1

### REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to rescind the authorization to convey 443 North Pearl Street located in the City of Albany and authorize the conveyance of this property to abutting property owner Watters Real Property LLC

Date:	February 10, 2021
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael McLaughlin

#### Purpose of Request:

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

### CONCERNING BUDGET AMENDMENTS

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

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

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

Source of Funding - (Percentages)

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

Term

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

Impact on Pending Litigation

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

Previous requests for Identical or Similar Action:

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

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

Requesting legislative authority to rescind the authorization to convey property located in the City of Albany 443 North Pearl Street Tax Map No. 65.12-4-24 to Mr. Jason Pierce per ABL Res No.154 and 549 of 2019 and convey this property to an abutting property owner, Watters Real Property LLC, 1054 Broadway, Albany NY 12204 for \$30,000. This transfer is in accordance with Resolution No. 29 of 2019 which states "Properties which will be discretionally conveyed by the County to individuals or entities who own abutting or adjacent parcels".

Watters Real Property LLC , abutting owner of properties to 443 North Pearl Street, 1050-1052 Broadway and 1054-1056 Broadway, were both purchased and rehabilitated by Watters Real Property LLC into viable properties. Per their request, which indicates a calculated investment based on needs and specifications of 443 North Pearl Street, plans are indicated to rehab this property into a usable building.

A review of the properties in the name of Watters Real Property LLC indicates there are no delinquent taxes and no outstanding code violations assessed against them.

The following will be part of the sale of this property and is requested to be stated in the resolution of sale:

At the closing: All closings costs. A prorated share of the 2020/2021 School Taxes. A prorated share of the 2021 Property taxes.

After the closing: All taxes, water, sewer and other charges billed on and after the date of the closing shall be the responsibility Watters Real Property LLC



Daniel P. McCoy  
County Executive  
Harold L. Joyce Albany County Office Bldg.  
112 State Street  
Room 1200  
Albany, NY 12207

January 28, 2021

Good Day Mr. McCoy,

I understand that you are the contact for distressed properties in Albany. I recently became aware of a property that may be available at 443 North Pearl Street. I was instructed to contact your office to determine the present status. The building has been unoccupied for at least 6 years and is starting to fall into serious disrepair. This particular parcel abuts our existing property line (see enclosed map) and we believe we could get this building functioning as an office building and on the tax rolls.

The building has 3,200 sq ft of potential floor space on the ground floor. This area would be used for an office for our flooring business. There is also a partial basement, approximately 1000 sqft, but the condition of the basement is unusable. The basement was a series of vaults used for storing nitro cellulose films dating back to the 1920's.

This building is 40 ft X 80 ft and is of block construction. The store-front faces 443 North Pearl street. There is no parking available around three sides of the building. The present condition of the building, based on my access to the building during the past 6 years, is as follows:

1. Several of the front glass windows have been shot, knocked out, or smashed with rocks as shown (pic#1).
2. The front windows frames are separating due to water leakage and freezing cycles.
3. The south side of the building appears stable, but with no access to the door(pic#2).
4. The east side of the building has had the door frame knocked out and several of the door frame blocks knocked out (pic#3).
5. The rear corner of the building is showing stress cracks which could be the result of water leaks and freezing from above (pic#4).
6. The north side of the building is also showing stress cracks (pic#5).
7. There are 2 massive holes (approximately 8' X 8') cut through the concrete floor where a heat pump system was to be installed but was never completed before the prior owner filed bankruptcy.
8. The condition of the electrical system is unknown.
9. The condition of the water system is unknown but has been through several winter seasons.
10. The condition of the fire suppression system is unknown but has been through several winter seasons.
11. There is no existing heat system in the building.
12. This building has no property around the perimeter. There is only street parking.

If Watters Real Property were to acquire the building, there would be several months of work to get the building into a usable condition. The building would be used as office space for our corporation.

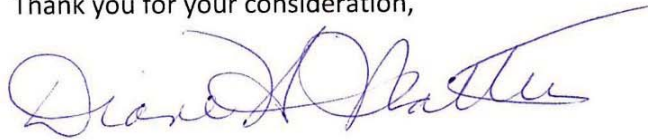
We believe that a heating system, water system, fire suppression system, structural repairs to the exterior, floor replacement, glass, and frontage repair would cost in excess of \$125,000 dollars. We do have an appreciation for the value of the property in our area. We own 3 buildings adjacent to 443 North Pearl street. The square footage of the buildings is 7,500 to 9,000 sq ft each and they are fully functional. The buildings were purchased by Watters Real Property LLC, over the years at a cost of \$194,000 for the metal warehouse (1054-1056 Broadway), \$150,000 for the flooring warehouse (1050-1052 Broadway), and \$250,000 for the carpet and flooring showroom (1046-1048 Broadway). Reversing the damage and decay from the past several years of neglect will be an expensive commitment for a 3,200 square foot facility. We can get this building on the tax rolls immediately.

We would like to offer a cash price of \$30,000 for the property in its current condition.

Please contact us for any additional information necessary for a sale to take place. We look forward to remodeling the building into a usable space in the Warehouse district and incorporate it into our current growth plans for our existing businesses here in Albany.

We look forward to your response.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read "Diane H. Watters". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Diane H. Watters  
President  
Watters Real Property, LLC  
1054 Broadway  
Albany, NY 12204

[dwatters@wfenterprises.com](mailto:dwatters@wfenterprises.com)

(518) 435-0024











DEPARTMENT OF MANGEMENT AND BUDGET

**Purchaser Review**

**PROPERTY INFORMATION**

<p><b>Municipality</b> - Albany</p> <p><b>Address of Property</b> -443 North Pearl Street</p> <p><b>Tax Map Number</b>-65.12-4-24</p> <p><b>Property Description</b>-Other Storage, Warehouse and Distribution Facility</p>
---

**PROPOSED PURCHASER AND PROPERTIES OWNED**

<p><b>Purchaser</b>-Watters Real Property, LLC.</p> <p>City of Albany- 1034, 1050-1052 and 1054-1056 Broadway</p>
---

**CODE ENFORCEMENT INFORMATION**

No outstanding violations-Verified with City of Albany Code Enforcement officer 2/8/2021

**DELINQUENT TAX INFORMATION**

No delinquent taxes-Verified with Albany County Tax Records Supervisor 2/8/2021

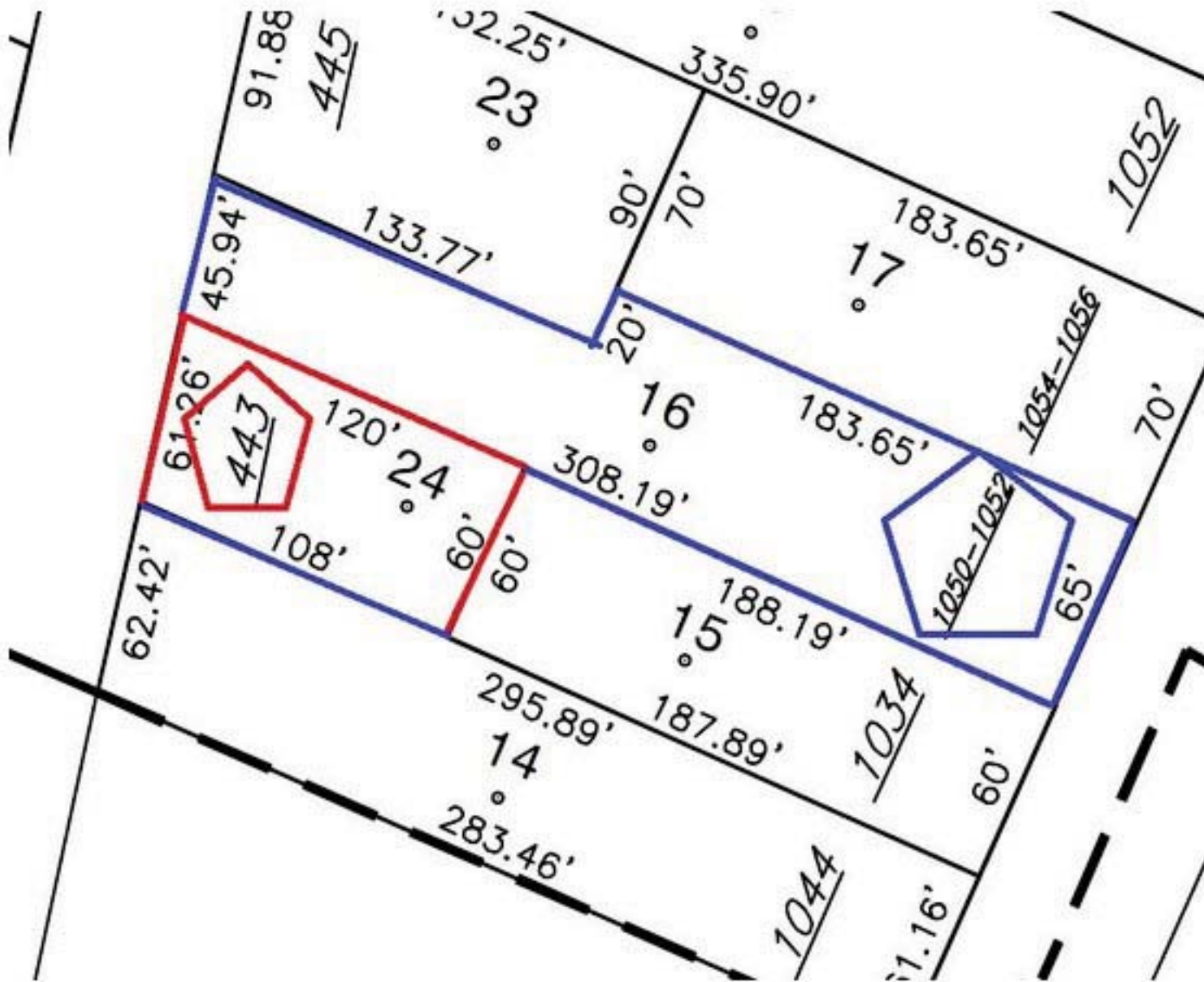
**COUNTY FORECLOSURE INFORMATION**

Not Applicable as properties were never delinquent

Signed-  \_\_\_\_\_

**ANTHONY DILELLA**  
Property Manager

DATE----February 8, 2021---



**RESOLUTION NO. 154**

**AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 443 NORTH PEARL STREET (TAX MAP NO. 65.12-4-24) IN THE CITY OF ALBANY**

Introduced: 4/8/19

By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired through in rem foreclosure title to a parcel of real property in the City of Albany located at 443 North Pearl Street (Tax Map No. 65.12-4-24), and

WHEREAS, Mr. Jason Pierce has expressed an interest in acquiring this property and making a substantial investment in the property in order to renovate it and open a full service bar and restaurant, and

WHEREAS, Mr. Pierce plans to rehabilitate this property and has agreed to incur any costs for environmental concerns it may have which meets the type of economic development indicated in the County disposition plan adopted per Resolution No. 29 of 2019, and notice of such sale has been published in the designated newspapers as required, and

WHEREAS, Revisions to the County's Real Property Disposition Plan approved by Resolution No. 29 for 2019 implemented procedures for properties to be sold for economic development for the benefit of public use, 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 443 North Pearl Street (Tax Map No. 65.12-4-24) in the City of Albany for \$90,000 to Mr. Jason Pierce, Albany, New York, be it further

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

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

*Adopted by unanimous vote – 4/8/19*

**RESOLUTION NO. 549**

**AUTHORIZING AN EXTENSION REGARDING THE AUTHORIZATION TO CONVEY A PARCEL OF REAL PROPERTY LOCATED AT 443 NORTH PEARL STREET (TAX MAP NO. 65.12-4-24) IN THE CITY OF ALBANY**

Introduced: 12/5/19

By Audit and Finance Committee:

WHEREAS, By Resolution No. 154 for 2019, this Honorable Body authorized the conveyance of real property located at 443 North Pearl Street (Tax Map No. 65.12-4-24) in the City of Albany for \$90,000 to Mr. Jason Pierce, Albany, New York, and

WHEREAS, Pursuant to the Albany County Disposition Plan, adopted by Resolution No. 29 for 2019, real property sold under this section are required to close within ninety (90) days of legislative approval, and

WHEREAS, Mr. Pierce has indicated that due to unforeseen issues he has been unable to meet the deadline, and has requested an extension in order to complete the closing, now, therefore be it

RESOLVED, By the Albany County Legislature that an extension of ninety (90) additional days are hereby granted in order to complete the closing of 443 North Pearl Street consistent with the Albany County Real Property Disposition Plan, and be it further

RESOLVED, That the the County Executive is authorized to continue to execute on behalf of the County any documents necessary to convey 443 North Pearl Street to Mr. Jason Pierce as authorized by Resolution No. 154 for 2019, be it further

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

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

*Adopted by unanimous vote – 12/5/19*

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through February 1, 2021.

---

Selected Entity Name: WATTERS REAL PROPERTY LLC  
Selected Entity Status Information

**Current Entity Name:** WATTERS REAL PROPERTY LLC

**DOS ID #:** 4421643

**Initial DOS Filing Date:** JUNE 21, 2013

**County:** ALBANY

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

WATTERS REAL PROPERTY LLC  
1054 BROADWAY  
ALBANY, NEW YORK, 12204

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this



information is not recorded and only available by  
[viewing the certificate.](#)

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

**Name History**

Filing Date	Name Type	Entity Name
JUN 21, 2013	Actual	WATTERS REAL PROPERTY LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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02/04/2021 11:20  
adilella

TEST DATABASE Jul 16 2019  
Parcel Find

1  
arbilinq

PARCEL: 06501200040240000000  
LOCATION: 443 N PEARL ST  
NAME: \*\* VARIOUS \*\*

EFF DATE: 02/04/2021

YEAR	CAT	BILL	NSC	REFERENCE	BILLED/ADJ	UNPAID BAL	DUE NOW
2011	TL-E	1245	Y	443 N PEARL ST	5442.11	5442.11	10363.77
2011	TL-1	2290	Y	443 N PEARL ST	2386.10	2386.10	5344.86
2012	TL-1	1001	Y	443 N PEARL ST	2810.08	2810.08	5957.37
2012	TL-E	1675	Y	443 N PEARL ST	5603.09	5603.09	9365.72
2013	TL-E	818	Y	443 N PEARL ST	5880.76	5880.76	9147.29
2013	TL-1	1653	Y	443 N PEARL ST	3119.06	3119.06	5948.12
2014	RE-1	8627	Y	443 N PEARL ST	2960.66	2819.72	5441.14
2014	TL-E	655	Y	443 N PEARL ST	5296.92	5296.92	8590.95
2015	RE-E	5810	Y	443 N PEARL ST	4590.15	4371.57	7519.10
2015	RE-1	8826	Y	443 N PEARL ST	3048.95	2910.95	5146.52
2016	RE-E	2273	Y	443 N PEARL ST	4319.00	4113.38	6580.81
2016	RE-1	70578	Y	443 N PEARL ST	3026.51	2889.58	4779.20
2017	RE-E	3319	Y	443 N PEARL ST	4239.08	4037.27	5974.68
2017	RE-1	7771	Y	443 N PEARL ST	3076.98	2941.17	4489.39
2018	RE-E	5350	Y	443 N PEARL ST	4111.20	3915.48	5324.69
2018	RE-1	7613	Y	443 N PEARL ST	2912.58	2773.89	4022.14
					TOTAL DUE NOW		103995.75
					TOTAL UNPAID		62823.23



**Land Parcels (2020)**

**Municipality:** City of Albany  
**Parcel Location:** 443 N Pearl St  
**Land Parcel:** 65.12-4-24  
**Owner Name:** 443 Np Inc.  
**Property Class Code:** 449  
**Property Class Description:** Other Storage, Warehouse & Distribution Facilities  
**School District Code:** 010100  
**School District:** Albany City School District  
**Acres:** 0.18 ac.  
**Land Assessment:** \$74,300.00  
**Total Assessment:** \$139,200.00

[PDF Tax Map](#)

[Google Maps](#)

[Zoom to](#) ...

**RESOLUTION NO. 127**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NOS. 159 AND 549 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 443 NORTH PEARL STREET (TAX MAP NO. 65.12-4-24) IN THE CITY OF ALBANY**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, By Resolution Nos. 159 and 549 for 2019, this Honorable Body authorized the conveyance of real property located at 443 North Pearl Street (Tax Map No. 65.12-4-24) in the City of Albany to Mr. Jason Pierce for \$90,000, and

WHEREAS, Watters Real Property LLC., an abutting property owner, has indicated an interest in acquiring this parcel for \$30,000, and

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

RESOLVED, By the Albany County Legislature, that Resolution Nos. 159 and 549 for 2019 are hereby rescinded and repealed, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 443 North Pearl Street (Tax Map No. 65.12-4-24) in the City of Albany to Watters Real Property LLC., 1054 Broadway, Albany, NY 12204 for the amount of \$30,000, and, be it further

RESOLVED, That Watters Real Property LLC. shall be responsible for all closing costs, a pro-rated portion of the 2020-2021 Albany School taxes, a pro-rated portion of the 2021 Property taxes, and 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.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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

M. DAVID REILLY, JR  
COMMISSIONER

CHANDRA WILLIAMS  
DEPUTY COMMISSIONER

February 8, 2021

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

Dear Chairman Joyce,

Legislative Authorization is requested to amend Resolution No. 190 of 2008 which authorized the conveyance of properties located in the City of Albany, 201 Myrtle Avenue and 232 Second Street. It has been discovered that the property requestor information contained within the resolution was incorrect and should be amended.

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

Thank you for your consideration.

Sincerely Yours,

M. David Reilly, Jr  
Commissioner

cc:

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



# County of Albany

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

## Legislation Text

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**File #:** TMP-2301, **Version:** 1

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### REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to Amend Resolution No. 190 of 2008

Date: February 10, 2021  
Submitted By: David Reilly  
Department: Management and Budget  
Title: Commissioner  
Phone: 518-447-7040  
Department Rep: Anthony DiLella  
Attending Meeting: David Reilly/Michael McLaughlin

#### Purpose of Request:

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

#### CONCERNING BUDGET AMENDMENTS

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

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

Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

**County Budget Accounts:**

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

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

Source of Funding - (Percentages)

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

Term

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

Impact on Pending Litigation

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

Previous requests for Identical or Similar Action:

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

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

It has been discovered that Resolution No. 190 of 2008 "AUTHORIZING THE CONVEYANCE OF 232 SECOND STREET AND 201 MYRTLE AVENUE IN THE CITY OF ALBANY TO CARES, INC." listed the incorrect entity, CARES, INC. as the requestor of these properties. The correct name as indicated on the NYS Division of Corporation at the time of this transaction was CORPORATION FOR AIDS RESEARCH, EDUCATION AND SERVICES INCORPORATED

CARES Of NY, INC. is encountering title issues with these properties and is requesting the County to amend resolution No. 190 of 2008 to help in this regard.

Legislative action is being requested to Amend ABL Resolution No. 190 of 2008 to indicate any mention of "CARES, INC be replaced with CORPORATION FOR AIDS RESEARCH, EDUCATION AND SERVICES INCORPORATED NOW KNOWN AS CARES OF NY, INC.

Also requested is a "Resolved Clause" in this resolution to direct the County Attorney to create any documents necessary to correct this situation for CARES OF NY, INC.





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February 5<sup>th</sup>, 2021

Daniel P. McCoy  
Albany County Executive  
Harold L. Joyce Albany County Office Building  
112 State Street, Room 1200  
Albany, NY 12207

RE: Amendment Resolution #190 of 2008

Dear Mr. McCoy,

Please accept CARES of NY, Inc.'s request to have Resolution No. 190 of 2008 conveying 232 Second Street and 201 Myrtle Avenue amended.

At the time this resolution was adopted, our name CORPORATION FOR AIDS RESEARCH, EDUCATION AND SERVICES INCORPORATED should have been indicated as the entity requesting and being approved for the sale of the two properties mentioned.

Currently, we are beginning construction on Elm and Second Street in the City of Albany to build more units for formerly homeless individuals. Having the title corrected was requested during closing with our funder.

Our title issues would be resolved with an amendment to County Resolution No. 190 of 2008 stating the entity requesting and receiving approval for the sale be the CORPORATION FOR AIDS RESEARCH, EDUCATION AND SERVICES INCORPORATED NOW KNOWN AS CARES OF NY, INC.

Thank you for considering this request,

A handwritten signature in black ink, appearing to read "N. Harrington".

Nancy Harrington  
Executive Director

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through February 3, 2021.

---

Selected Entity Name: CARES OF NY, INC.

Selected Entity Status Information

**Current Entity Name:** CARES OF NY, INC.

**DOS ID #:** 1456387

**Initial DOS Filing Date:** JUNE 22, 1990

**County:** ALBANY

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC NOT-FOR-PROFIT CORPORATION

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

CARES OF NY, INC.  
200 HENRY JOHNSON BLVD  
STE 4  
ALBANY, NEW YORK, 12210

**Registered Agent**

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the

initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate.](#)

### \*Stock Information

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

### Name History

Filing Date	Name Type	Entity Name
MAR 26, 2018	Actual	CARES OF NY, INC.
JUN 22, 1990	Actual	CORPORATION FOR AIDS RESEARCH, EDUCATION AND SERVICES INCORPORATED

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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**RESOLUTION NO. 190**

**AUTHORIZING THE CONVEYANCE OF 232 SECOND STREET AND 201 MYRTLE AVENUE IN THE CITY OF ALBANY TO CARES, INC.**

Introduced: 5/12/08

By Audit and Finance Committee, Ms. Chapman and Mr. Higgins:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to two parcels of real property at 232 Second Street and 201 Myrtle Avenue in the City of Albany, and

WHEREAS, CARES, Inc., a not-for-profit agency which provides housing for persons with disabilities, owns three properties on either side of the vacant lot at 232 Second Street and has expressed an interest in acquiring the parcel for \$4,000 to conserve as green space between its buildings, and

WHEREAS, CARES, Inc. has offered \$10,000 to purchase 201 Myrtle Avenue, located near the organization's eight-unit apartment building at 135 Dove Street, with the goal of rehabilitating the property for use as a two-family residence, and

WHEREAS, The Commissioner of the Department of Management and Budget has recommended that the County transfer 232 Second Street and 201 Myrtle Avenue in the City of Albany to CARES, Inc. for the sums mentioned above, 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 232 Second Street in the City of Albany to CARES, Inc. for \$4,000, and 201 Myrtle Avenue in the City of Albany to CARES, Inc. for \$10,000, and, be it further

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

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

*Adopted by unanimous vote. 5/12/08*



**Albany County Clerk  
32 North Russell Rd.  
Albany, NY 12206-1324**

**Return to:**

**ALBANY COUNTY DIRECTOR OF FINANCE  
112 STATE ST RM 800  
ALBANY NY 12207**

**Instrument: Deed**

**Document Number: 10241771 Book: 2927 Page: 533**

**Grantor**

COUNTY OF ALBANY

**Grantee**

CARES INC

Number of Pages: 4

Transfer Tax Receipt  
Albany County Clerk Received:  
Trans Tax # 61  
.....\$0.00

Recorded Date/Time: 08/04/2008 at 10:36 AM

Receipt Number: 469801

Note. **\*\*DO NOT REMOVE - THIS PAGE IS PART OF THE DOCUMENT\*\***  
THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a(5) &  
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Thomas G. Clingan, County Clerk

392

Albany County Clerk  
Deed Books (Record Room)  
Book 2927 Page 534

**RECORD AND RETURN TO:**  
ALBANY COUNTY DIRECTOR OF FINANCE  
112 State Street, Room 800  
Albany, New York 12207



Albany County Clerk  
Document Number 10241771  
Rcvd 08/04/2008 10:36:36 AM

**QUITCLAIM DEED**



**THIS INDENTURE** made the 8 day of ~~June~~ <sup>July</sup> 2008 between

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

**CARES, INC.**, currently having its principal office located at 95 Watervliet Avenue, Albany, New York, 12206, **party of the second part**,

**Witnesseth** that in consideration of payment by the party of the second part of the sum of FOUR THOUSAND DOLLARS (\$4,000.00) AND NO CENTS lawful money of the United States to the party of the first part, the party of the first part hereby remises, releases and quitclaims unto the party of the second part and its successors and assigns forever, all of the party of the first part's right, title and interest in and to

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

**Being the same premises** described as "**PARCEL No. ALBANY 0268-04 (232 Second Street, City of Albany)**" in the Deed in Foreclosure conveying said parcel to the party of the first part simultaneously herewith executed by the Enforcing Officer of the County of New York, Tax District, and recorded in the Office of the Albany County Clerk made pursuant to the Order of the Albany County Court granting said Tax District Final Judgment of Foreclosure as to said parcel dated September 21, 2007 and entered on October 1, 2007 in the proceeding commenced under **Index No. 5831-04** captioned "In the Matter of Foreclosure of the "In Rem" Delinquent Tax Lien Foreclosure Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, against those Parcels of Real Property described in the **List of Delinquent Taxes filed May 20, 2005** covering the **CITY OF ALBANY**, Albany County".

This conveyance is made pursuant to and is conditioned by Resolution No. 190 of the Albany County Legislature for the year 2008 adopted on May 12, 2008, authorizing the conveyance of the premises to the party of the second part.

Title to the premises hereby conveyed is subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) all applicable zoning, land use and building code regulations; (c) any easements, covenants, conditions and rights-or-way of record existing at the time of the levy of the tax, the non-



LIBER 2927 PAGE 536

Foreclosure # Albany-0263-04  
 City of Albany County of Albany  
 Alleged Owner (s) Curtis D. Black  
 Description 270 First Street  
 Class Code # 210 Tax Map # 06506400040170000000

Foreclosure # Albany-0264-04  
 City of Albany County of Albany  
 Alleged Owner (s) St. Joseph's Housing Corporation  
 Description 133 Henry Johnson Blvd.  
 Class Code # 220 Tax Map # 06506400040310000000

Foreclosure # Albany-0268-04  
 City of Albany County of Albany  
 Alleged Owner (s) Frank W. & Frances Lipinkas  
 Description 232 Second Street  
 Class Code # 220 Tax Map # 06506400060270000000

Foreclosure # Albany-0305-04  
 City of Albany County of Albany  
 Alleged Owner (s) Savannah Bynum  
 Description 234 Livingston Avenue  
 Class Code # 220 Tax Map # 06506500060190000000

Foreclosure # Albany-0309-04  
 City of Albany County of Albany  
 Alleged Owner (s) Alfred Roberts  
 Description 207 Colonie Street  
 Class Code # 220 Tax Map # 06506600010260000000





**Albany County Clerk  
32 North Russell Rd.  
Albany, NY 12206-1324**

**Return to:**

**ALBANY COUNTY DIRECTOR OF FINANCE  
112 STATE ST RM 800  
ALBANY NY 12207**

**Instrument: Deed**

**Document Number: 10241770 Book: 2927 Page: 529**

**Grantor**

COUNTY OF ALBANY

**Grantee**

CARES INC

Number of Pages: 4

Transfer Tax Receipt  
Albany County Clerk Received:  
Trans Tax # 60  
.....\$0.00

Recorded Date/Time: 08/04/2008 at 10:36 AM

Receipt Number: 469801

Note. **\*\*DO NOT REMOVE - THIS PAGE IS PART OF THE DOCUMENT\*\***  
THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a(5) &  
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Thomas G. Clingan, County Clerk

392

Albany County Clerk  
Deed Books (Record Room)  
Book 2927 Page 530

**RECORD AND RETURN TO:**  
ALBANY COUNTY DIRECTOR OF FINANCE  
112 State Street, Room 800  
Albany, New York 12207



Albany County Clerk  
Document Number 10241770  
Rcvd 08/04/2008 10:36:26 AM

**QUITCLAIM DEED**



**THIS INDENTURE** made the 8 day of ~~June~~ <sup>July</sup>, 2008 between

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

**CARES, INC.**, currently having its principal office located at 95 Watervliet Avenue, Albany, New York, 12206, **party of the second part**,

**Witnesseth** that in consideration of payment by the party of the second part of the sum of TEN THOUSAND DOLLARS (\$10,000.00) AND NO CENTS lawful money of the United States to the party of the first part, the party of the first part hereby remises, releases and quitclaims unto the party of the second part and its successors and assigns forever, all of the party of the first part's right, title and interest in and to

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

**Being the same premises** described as "**PARCEL No. ALBANY 0490-04 (201 Myrtle Avenue, City of Albany)**" in the Deed in Foreclosure conveying said parcel to the party of the first part simultaneously herewith executed by the Enforcing Officer of the County of New York, Tax District, and recorded in the Office of the Albany County Clerk made pursuant to the Order of the Albany County Court granting said Tax District Final Judgment of Foreclosure as to said parcel dated September 21, 2007 and entered on October 1, 2007 in the proceeding commenced under **Index No. 5831-04** captioned "In the Matter of Foreclosure of the "In Rem" Delinquent Tax Lien Foreclosure Proceeding brought pursuant to Article Eleven, Title 3 of the Real Property Tax Law by THE COUNTY OF ALBANY, NEW YORK, TAX DISTRICT, against those Parcels of Real Property described in the **List of Delinquent Taxes filed May 20, 2005** covering the **CITY OF ALBANY**, Albany County".

This conveyance is made pursuant to and is conditioned by Resolution No. 190 of the Albany County Legislature for the year 2008 adopted on May 12, 2008, authorizing the conveyance of the premises to the party of the second part.

Title to the premises hereby conveyed is subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) all applicable zoning, land use and building code regulations; (c) any easements, covenants, conditions and rights-or-way of record existing at the time of the levy of the tax, the non-



LIBER 2927 PAGE 532

Foreclosure # Albany-0459-04  
 City of Albany County of Albany  
 Alleged Owner (s) Tadesse Gebreyes & Abdul H. Zamani  
 Description 82 Dana Avenue  
 Class Code # 311 Tax Map # 07602200040110000000

Foreclosure # Albany-0465-04  
 City of Albany County of Albany  
 Alleged Owner (s) Betty Jane Batcher  
 Description 29 Dana Avenue  
 Class Code # 220 Tax Map # 07602300020430000000

Foreclosure # Albany-0471-04  
 City of Albany County of Albany  
 Alleged Owner (s) Guido A. Loyola  
 Description 52 Clinton Avenue  
 Class Code # 230 Tax Map # 07602600010120000000

Foreclosure # Albany-0490-04  
 City of Albany County of Albany  
 Alleged Owner (s) Dean Vaughan  
 Description 201 Myrtle Avenue  
 Class Code # 220 Tax Map # 07604000020400000000

Foreclosure # Albany-0493-04  
 City of Albany County of Albany  
 Alleged Owner (s) Liberty Way Associates  
 Description 6 Liberty Street  
 Class Code # 464 Tax Map # 07604200050370000000

**RESOLUTION NO. 128**

**AMENDING RESOLUTION NO. 190 FOR 2008 REGARDING THE  
CONVEYANCE OF REAL PROPERTY IN THE CITY OF ALBANY**

Introduced: 4/12/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 190 for 2008, this Honorable Body authorized the conveyance of 232 Second Street and 201 Myrtle Avenue in the City of Albany, to CARES, Inc., for \$4,000 and \$10,000, respectively, and,

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the owner of these properties, CARES of NY, Inc. was previously known as "Corporation for Aids Research, Education and Services Incorporated", which has created issues related to the name appearing on the title for the properties, and

WHEREAS, The Commissioner has requested an amendment in order to resolve the issues of title related to these properties now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution No. 190 for 2008 is hereby amended by replacing all instances of "CARES, Inc." with "Corporation for Aids Research, Education and Services Incorporated Now Known As Cares Of NY, Inc.", 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. 129**

**APPOINTMENT OF MEMBERS TO THE BOARD OF COMMISSIONERS OF  
THE ALBANY COUNTY WATER PURIFICATION DISTRICT**

Introduced: 4/12/21

By Mr. Feeney:

WHEREAS, The terms of office for two of the current members of the Board of Commissioners of the Albany County Water Purification District have expired, and

WHEREAS, John W. Bishop Jr. and Nicholas W. Foglia have served with distinction and each has indicated a desire to continue serving on the Board, now, therefore be it

RESOLVED, By the Albany County Legislature, pursuant to Section 261 of the County Law, that John W. Bishop Jr. and Nicholas W. Foglia are reappointed to the Board of Commissioners of the Albany County Water Purification District for terms ending December 31, 2023, 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. 130**

**ESTABLISHING A POLICY AND ELIGIBILITY REQUIREMENTS FOR THE 2021 LEGISLATIVE GRANT PROGRAM.**

Introduced: 4/12/21

By: A. Joyce

**WHEREAS**, The Albany County Legislature has operated a Legislative Grants program providing an opportunity to provide the community at large with funding sources for the public benefit, and

**WHEREAS**, Community groups or individuals were able to submit applications detailing the positive impact and benefits they would be able to provide if allocated funding by the Legislature, and

**WHEREAS**, Resolution No. 232 for 2018 required, among other things, that a “Policy establishing eligibility requirements” be adopted by the body prior to the 2020 Legislative Grant Program, and

**WHEREAS**, The COVID-19 pandemic caused the Legislature to suspend the program for the year 2020, and

**WHEREAS**, Resolution No. 232 for 2018 also required equal distribution of the funding source among the thirty-nine legislative districts, and

**WHEREAS**, The COVID-19 pandemic has demonstrated that there is disproportionate impact in historically economically disadvantaged communities which, in turn, has made programs like the Albany County Legislative Grant Program all the more necessary, and

**WHEREAS**, In order to properly effect the goals of the Legislative Grant Program, the monies therefrom must flow to the entities within the County based on a system of merit and necessity, with consideration of the economic disadvantages faced by some communities within the County, now, therefore be it

**RESOLVED**, that in accordance with Resolution No. 232 for 2018, the following eligibility requirements are put in place for the Legislative Grant Program

1. Funding shall only be provided in accordance with Article VIII, § 1, of the New York State Constitution.
2. Funding shall be distributed in a manner which provides the greatest impact on all parts of the County.
3. Any grants authorized should target economically disadvantaged communities or groups.

4. Any grants authorized shall be to organizations, individuals or groups with a presence in Albany County.
5. Consideration shall be given to whether matching funding is available to the recipient from other sources.
6. Funding awards shall not exceed \$3,500 per legislative district unless multiple Legislators support the applicant.
7. Awards shall only be made to applicants submitting completed applications which are unanimously approved by the Leaders of the Legislature: The Chairperson of the Legislature, the Majority Leader, the Minority Leader and the Chairperson of the Legislative Black Caucus.
8. Applicants shall provide a list of Federal, State, County or other municipally sourced funding for the previous five (5) years.
9. The Clerk of the Legislature shall provide the application to all members of the Legislature and it shall be posted on the website of the Legislature.
10. Applicants shall provide a date of establishment, a brief history and mission statement.
11. Applicants shall provide a detailed description and budget for the project/program.
12. Applicants shall provide performance indicators to quantify the success of their project/program.
13. Applicants shall provide the following financial information
  - a. Most recent year-end financial statements and tax returns
  - b. List of Board of Directors and affiliations, if applicable
  - c. Budget for fiscal year for which the grant will be used and the following year, if available.
14. No grant funding shall be used to compensate, in whole or in part, staff members of the applicant.

And be it, further

**RESOLVED**, That these requirements shall continue in effect until amended or otherwise modified by a vote of a majority of the membership of this body, 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. 130

### ESTABLISHING A POLICY AND ELIGIBILITY REQUIREMENTS FOR THE 2021 LEGISLATIVE GRANT PROGRAM

Introduced: 4/12/21

By: Messrs. A. Joyce, Feeney, Ethier, Ms. Lekakis, Mr. Clay and Ms. Willingham

**WHEREAS**, The Albany County Legislature has operated a Legislative Grants program providing an opportunity to provide the community at large with funding sources for the public benefit, and

**WHEREAS**, Community groups or individuals were able to submit applications detailing the positive impact and benefits they would be able to provide if allocated funding by the Legislature, and

**WHEREAS**, Resolution No. 232 for 2018 required, among other things, that a “Policy establishing eligibility requirements” be adopted by the body prior to the 2020 Legislative Grant Program, and

**WHEREAS**, The COVID-19 pandemic caused the Legislature to suspend the program for the year 2020, and

**WHEREAS**, Resolution No. 232 for 2018 also required equal distribution of the funding source among the thirty-nine legislative districts, and

**WHEREAS**, The COVID-19 pandemic has demonstrated that there is disproportionate impact in historically economically disadvantaged communities which, in turn, has made programs like the Albany County Legislative Grant Program all the more necessary, and

**WHEREAS**, In order to properly effect the goals of the Legislative Grant Program, the monies therefrom must flow to the entities within the County based on a system of merit and necessity, with consideration of the economic disadvantages faced by some communities within the County, now, therefore be it

**RESOLVED**, that in accordance with Resolution No. 232 for 2018, the following eligibility requirements are put in place for the Legislative Grant Program

1. Funding shall only be provided in accordance with Article VIII, § 1, of the New York State Constitution.
2. Funding shall be distributed in a manner which provides the greatest impact on all parts of the County.
3. Any grants authorized should target economically disadvantaged communities or groups.

4. Any grants authorized shall be to organizations, individuals or groups with a presence in Albany County.
5. Consideration shall be given to whether matching funding is available to the recipient from other sources.
6. Funding awards shall not exceed \$3,500 per legislative district unless multiple Legislators support the applicant.
7. Awards shall only be made to applicants submitting completed applications which are unanimously approved by the Leaders of the Legislature: The Chairperson of the Legislature, the Majority Leader, the Minority Leader and the Chairperson of the Legislative Black Caucus.
8. Applicants shall provide a list of Federal, State, County or other municipally sourced funding for the previous five (5) years.
9. The Clerk of the Legislature shall provide the application to all members of the Legislature and it shall be posted on the website of the Legislature.
10. Applicants shall provide a date of establishment, a brief history and mission statement.
11. Applicants shall provide a detailed description and budget for the project/program.
12. Applicants shall provide performance indicators to quantify the success of their project/program.
13. Applicants shall provide the following financial information
  - a. Most recent year-end financial statements and tax returns
  - b. List of Board of Directors and affiliations, if applicable
  - c. Budget for fiscal year for which the grant will be used and the following year, if available.
14. No grant funding shall be used to compensate, in whole or in part, staff members of the applicant.

And be it, further

**RESOLVED**, That these requirements shall continue in effect until amended or otherwise modified by a vote of a majority of the membership of this body, 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. 131**

**ESTABLISHING A LIVING WAGE FOR EMPLOYEES OF THE COUNTY OF ALBANY AND AMENDING THE 2021 ALBANY COUNTY BUDGET**

Introduced: 4/12/21

By Lekakis, Willingham, Cunningham, McLean Lane, McLaughlin, Plotsky, A. Joyce:

**WHEREAS**, The Albany County Legislature takes pride in its workforce and has a long and demonstrated history of supporting higher than minimum wages for its employees, and

**WHEREAS**, In 2018, this Honorable Body endeavored in studying the effect of raising the hourly wages of employees to \$15 per hour, to establish a living wage, and

**WHEREAS**, There has been a fight for economic justice which continues throughout the nation, and

**WHEREAS**, With the influence of the COVID-19 pandemic, the economy has been severely affected and economic recovery strategies should be implemented whenever possible, and

**WHEREAS**, Low wages, compounded by the growing wealth gap, contribute to a cycle of debt and poverty for women and minorities, and

**WHEREAS**, While increasing wages cannot alone close the wealth gap, it would increase the income of many County employees, especially minorities and women who have been disenfranchised from fair and equal wages since the beginning of time, and

**WHEREAS**, The Albany County Legislature has determined that the NY State minimum wage of \$12.50 per hour is insufficient to support a minimal and basic standard of living in Albany County, and that an adequate wage to support such a standard of living is \$15 per hour, and

**WHEREAS**, The Albany County Legislature does not have the legal authority to legislate a different minimum wage than the state minimum wage, but nevertheless it is the desire of this Honorable Body to take action within its power to provide a fair living wage to its employees, now, therefore be it

**RESOLVED**, By the Albany County Legislature, that a living wage of \$15 per hour shall apply to all non-elected employees of the County of Albany, and be it further

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

Decrease Appropriation Account A 1990 by \$70,072 by decreasing Line Item A 1990 44999 Misc Contractual Expenses by \$70,072

Increase Line Item A 9901 99901 TRANSFER OTHER FUNDS by \$51,723

Increase Line Item NH 6020 05033 INTERFUND TRANSFERS by \$51,723

Increase Line Item NH 6020 15293 6400513 ACTIVITIES ASSISTANT by \$2,438

Increase Line Item A 1185 160005 CLERK I PT 20 by \$838

Increase Line Item A 1185 89030 SOCIAL SECURITY by \$64

Increase Line Item A 6772 5000020 COMMUNITY SERVICE ENROLL by \$866

Increase Line Item A 6772 89030 SOCIAL SECURITY by \$66

Increase Line Item NH 6020 640948 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640920 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640947 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640946 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640944 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640940 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640933 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640941 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640938 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640935 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 640942 ENV SERVICE AIDE by \$2,438

Increase Line Item NH 6020 641013 ENV SERVICE PER DIEM by \$575

Increase Line Item NH 6020 640662 FOOD SERVICE HELPER by \$1,136

Increase Line Item NH 6020 640630 FOOD SERVICE HELPER by \$2,438

Increase Line Item NH 6020 640613 FOOD SERVICE HELPER by \$2,445

Increase Line Item NH 6020 640629 FOOD SERVICE HELPER by \$2,445

Increase Line Item NH 6020 640624 FOOD SERVICE HELPER by \$2,438

Increase Line Item NH 6020 640639 FOOD SERVICE HELPER by \$2,438

Increase Line Item NH 6020 640628 FOOD SERVICE HELPER by \$2,438

Increase Line Item NH 6020 640632 FOOD SERVICE HELPER by \$2,438

Increase Line Item NH 6020 89030 SOCIAL SECURITY by \$3,676

Increase Line Item A 1411 240014 MICROFILM AIDE 35 by \$171

Increase Line Item A 1411 89030 SOCIAL SECURITY by \$13

Increase Line Item A 1410 239999 TEMP COUNTY CLERK by \$298

Increase Line Item A 1410 89030 SOCIAL SECURITY by \$23

Increase Line Item A 3110 379996 TEMP COURT ATTENDANTS by \$6,405

Increase Line Item A 3110 89030 SOCIAL SECURITY by \$490

Increase Line Item A 3189 660004 TEMP HELP STOP DWI by \$290

Increase Line Item A 3189 89030 SOCIAL SECURITY by \$22

Increase Line Item A 4010 409999 TEMP HEALTH by \$179

Increase Line Item A 4010 89030 SOCIAL SECURITY by \$14

Increase Line Item A 7410 529998 TEMP HELP by \$7,854

Increase Line Item A 7410 89030 SOCIAL SECURITY by \$601

Increase Line Item A 4610 459999 TEMP RAPE CRISIS by \$144

Increase Line Item A 4610 89030 SOCIAL SECURITY by \$11  
and, be it further

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

## LOCAL LAW NO. “I” FOR 2020

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO PROHIBIT SMOKING IN COMMON AREAS OF MULTIPLE UNIT DWELLINGS

Introduced: 10/13/20

By Mr. Efekoro, Mss. Cunningham, Plotsky, Messrs. Peter and Burgdorf:

#### **Section 1: TITLE**

This Local Law shall be known as the “Albany County Smoke-Free Common Areas Law.”

#### **Section 2: STATUTORY AUTHORIZATION**

This Local Law is hereby adopted pursuant to the provisions of the New York Municipal Home Rule Law § 10(1)(ii)(a)(12).

#### **Section 3: FINDINGS; PURPOSE**

This Legislature finds that, each year, 41,000 people die prematurely from exposure to second hand smoke. According to the U.S. Surgeon General, there is no safe level of secondhand smoke exposure. E-cigarette aerosol (often called vapor) can also contain harmful and potentially harmful substances including nicotine, ultrafine particles, flavoring chemicals, volatile organic compounds, and heavy metals. For tenants and owners of multiple unit dwellings, such as apartments and condominiums, tobacco smoke and vapor from a neighboring unit that infiltrates their homes results in daily exposure to many hazardous chemicals due to secondhand smoke and vapor which travels through lighting fixtures, cracks in walls, shared heating and ventilation, around plumbing, and under doors.

Therefore, it is the purpose of this Local Law to protect the public health and welfare of the residents of Albany County by prohibiting smoking and “vaping” in common areas in multiple unit dwellings.

#### **Section 4: DEFINITIONS**

As used in this Local Law, the following terms shall have the meanings indicated:

**INDOOR COMMON AREA** – Every interior enclosed or unenclosed area of a multiple unit dwelling that residents of more than one unit are entitled to enter or use, including but not limited to halls, lobbies, interior courtyards, elevators, stairs, community rooms, clubhouses, gym facilities, restrooms, laundry rooms, cooking areas, eating areas, and meeting rooms.

**MULTIPLE UNIT DWELLING** – Any dwelling which is rented, leased, or subleased out to be occupied as the temporary or permanent residence or home of three or more families or groups of tenants living independently of each other in separate dwelling units.

**DWELLING UNIT** – Any room or group of rooms located within a dwelling which forms a single habitable unit with facilities which are used or intended to be used for living or sleeping by human occupants.

**SMOKING** – The combustion of any cigar, cigarette, tobacco, marijuana, or any similar article or any other combustible substance in any manner or in any form.

**VAPING** – The release of tobacco, nicotine, marijuana, or e-cigarette aerosol or vapor in any manner or in any form via e-cigarette, Juul, or other similar device.

### **Section 5: PROHIBITION**

Smoking and vaping are prohibited in indoor common areas of multiple unit dwellings, and within 5 feet of any outdoor ventilation intake.

### **Section 6: PENALTIES FOR VIOLATIONS**

Any tenant or invitee of a tenant of a multiple unit dwelling who violates the provisions of Section 5 of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of Health of not more than \$250 for a first violation, \$350 for a second violation, and \$500 for each violation thereafter.

Any property owner, property manager and/or other person having control of a multiple unit dwelling who violates any provision of Section 7 of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of Health of not more than \$250 for a first violation, \$350 for a second violation, and \$500 for each violation thereafter. Proof of compliance with the provisions of Section 7 of this Local Law shall serve as an absolute defense to a charge pursuant to this Local Law.

### **Section 7: ENFORCEMENT AND ADMINISTRATION**

Property owners, property managers and/or other persons having control of a multiple unit dwelling shall include in their written lease agreements dated after the effective date of this law that smoking and vaping are prohibited in all indoor common areas of the building(s). In instances where a written lease is not used, property owners, property managers and/or other persons having control of a multiple unit dwelling must advise in writing such tenants that smoking and vaping are prohibited in all indoor common areas of the building(s).

Property owners, property managers and/or other persons having control of a multiple unit dwelling shall post conspicuous signage at major entrances to the



building(s) and in indoor common areas, stating that smoking and vaping are prohibited in all indoor common areas of the multiple unit dwelling.

Violations of this Local Law by a tenant or invitee of a tenant shall constitute just cause to bring an eviction proceeding against the tenant, to the extent allowable by state and local law.

#### **Section 8: SEQRA COMPLIANCE**

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

#### **Section 9: SEVERABILITY**

If any provision of this Local Law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the remaining provisions of this Local Law shall remain in full force and effect.

#### **Section 10: EFFECTIVE DATE**

This Local Law shall take effect upon filing with the Secretary of State.

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

*Favorable Recommendation Law Committee – 3/24/21*

*Favorable Recommendation Health Committee – 3/25/21*

**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, Mss. Cunningham and Plotsky:

WHEREAS, it is in the public interest to promote the economic improvement of Businesses within the County in order to create jobs, attract new Businesses, increase local revenue and promote tourism; and

WHEREAS, it is of particular local benefit to allow Businesses to fund business related services through the levy of Assessments upon the Businesses that receive benefits from those services; and

WHEREAS, Assessments levied for the purpose of conferring benefits upon the tourism Businesses in a Tourism Improvement District shall be related to the costs of providing the services within the Tourism Improvement District and shall not be taxes for the general benefit of the County; and

WHEREAS, it is the desire of the Albany County Legislature to create a mechanism to allow certain Businesses to initiate the formation of Tourism Improvement Districts for the purpose of providing enhanced services for the benefit of those Businesses within the Tourism Improvement District; and

WHEREAS, the Albany County Legislature determines that the establishment, operation, modification, and disestablishment of Tourism Improvement Districts within the County of Albany is a matter of local concern.

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

**Section 1. Purpose.**

The purpose of this law is to establish the procedure for the establishment, operation, modification, and disestablishment of Tourism Improvement Districts within the County, and to ensure that Tourism Improvement District assessments conform to all constitutional requirements and are determined and levied in accordance with the procedure set forth in this law.

**Section 2. Severability.**

This law is intended to be construed liberally and, if any clause, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### Section 3. Definitions.

“Assessment” - means a levy for the purpose of providing Activities and Improvements that will provide benefits to Businesses located within a Tourism Improvement District that are subject to the Tourism Improvement District Assessment. Assessments may be based on a percent of gross business revenue, a fixed dollar amount per transaction, or any other reasonable method approved by the County Legislature.

“Business” - means the type or category of business that is described in the Tourism Improvement District plan and the resolution creating a Tourism Improvement District.

“Business Owner” - means any person recognized by the County as the owner of the Business. The County has no obligation to obtain other information as to the ownership of businesses, and its determination of ownership shall be final and conclusive for the purposes of this law. Wherever this law requires the signature of the Business Owner, the signature of the authorized representative of the Business Owner shall be sufficient.

“Clerk” - means the County Clerk.

“County” - means the County of Albany.

“County Legislature” - means the governing body of the County.

“Local Improvement” - means, but is not limited to, all of the following that benefit Businesses in the Tourism Improvement District:

- (a) Promotion of Business activity, including but not limited to tourism, of Businesses subject to the Assessment within the Tourism Improvement District.

- (b) Other services provided for the purpose of conferring benefits upon Businesses located in the Tourism Improvement District that are subject to the Tourism Improvement District Assessment including, but not limited to, transportation services.
- (c) The acquisition, construction, installation, or maintenance of any tangible property.

“Owners’ Association” - means a private nonprofit entity that is under contract with the County to administer the Tourism Improvement District and implement Activities and Improvements specified in the Tourism Improvement District Plan. An Owners’ Association shall have full discretion to select the specific Activities and Improvements to be funded with Tourism Improvement District Assessment revenue, within the authorized parameters of the Tourism Improvement District Plan. An Owners’ Association may be an existing nonprofit entity or a newly formed nonprofit entity. An Owners’ Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose.

“Tourism Improvement District” - means a Tourism Improvement District established pursuant to this law.

“Tourism Improvement District Plan” - means a proposal as defined in Section 5.

#### Section 4. Establishment of Tourism Improvement District.

A Tourism Improvement District may be established as provided in this law.

#### Section 5. Contents of Tourism Improvement District Plan.

The Tourism Improvement District Plan shall include, but is not limited to, all of the following:

- (a) A map that identifies the Tourism Improvement District boundaries in sufficient detail to allow a Business Owner to reasonably determine whether a Business is located within the Tourism Improvement District boundaries. The boundaries of a Tourism Improvement District may overlap with other Tourism Improvement Districts established pursuant to this law.
- (b) The name of the proposed Tourism Improvement District.
- (c) The Activities and Improvements proposed for each year of operation of the Tourism Improvement District and the estimated cost thereof. If the Activities and Improvements proposed for each year of operation are the

same, a description of the first year's proposed Activities and Improvements and a statement that the same Activities and Improvements are proposed for subsequent years shall satisfy the requirements of this subsection.

- (d) The estimated annual amount proposed to be expended for Activities and Improvements in each year of operation of the Tourism Improvement District. This amount may be estimated based upon the Assessment rate. If the estimated annual amount proposed to be expended in each year of operation of the Tourism Improvement District is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subsection.
- (e) The proposed source or sources of financing, including the proposed method and basis of levying the Assessment in sufficient detail to allow each Business Owner to calculate the amount of the Assessment to be levied against his or her Business. The Tourism Improvement District Plan may set forth specific increases in assessments for each year of operation of the Tourism Improvement District.
- (f) The time and manner of collecting the Assessments and any interest and/or penalties for non-payment.
- (g) The specific number of years in which Assessments will be levied. In a new Tourism Improvement District, the maximum number of years shall be ten (10). In a renewed Tourism Improvement District, the maximum number of years shall be ten (10).
- (h) Any proposed rules and regulations to be applicable to the Tourism Improvement District.
- (i) A definition describing the type or category of Businesses to be included in the Tourism Improvement District and subject to the Tourism Improvement District Assessment.
- (j) Any other item or matter required to be incorporated therein by the County Legislature.

#### Section 6. Initiation of Proceedings; Petition of Business Owners in Proposed Tourism Improvement District

- (a) Petitions, with a signature of assessed Business Owners or their duly authorized representatives, shall be returned to the County Legislature.

- (b) The County Legislature may initiate proceedings to form a Tourism Improvement District by the adoption of a resolution expressing its intention to form a Tourism Improvement District, if it determines that:
- i) Assessed Businesses representing over fifty percent (50%) of the sleeping rooms in the proposed Tourism Improvement District, which also represent over fifty percent (50%) of all assessed Businesses by number within the proposed Tourism Improvement District, have submitted petitions in favor of the formation of the Tourism Improvement District;
  - or
  - ii) Assessed Businesses who will pay more than fifty percent (50%) of the Assessments proposed to be levied, which also represent over fifty percent (50%) of all assessed Businesses by number within the proposed Tourism Improvement District, have submitted petitions in favor of the formation of the Tourism Improvement District.
- (c) The petition of Business Owners required under subsection (a) shall include a summary of the Tourism Improvement District Plan. That summary shall include all of the following:
- i) A map showing the boundaries of the Tourism Improvement District.
  - ii) The types or categories of Businesses that will be subject to the Assessment.
  - iii) The Assessment rate for each type or category of Business that will be subject to the Assessment.
  - iv) Information specifying where the complete Tourism Improvement District Plan can be obtained.
  - v) Information specifying that the complete Tourism Improvement District Plan shall be furnished upon request.
- (d) The resolution of intention described in subsection (a) shall contain all of the following:
- i) A brief description of the proposed Activities and Improvements, the amount of the proposed Assessment, a statement describing the Businesses within the proposed Tourism Improvement District that will be subject to the Assessment, and a description of the exterior boundaries of the proposed Tourism Improvement District, which may be made by reference to any plan or map that is on file with the Clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable a Business Owner to generally identify the nature and extent of the Activities and Improvements, and the location and extent of the proposed Tourism Improvement District.

- ii) A time and place for a public hearing on the establishment of the Tourism Improvement District and the levy of Assessments, which shall be consistent with the requirements of Section 7.

Section 7. Procedure to Establish or Renew a Tourism Improvement District and Levy Assessment.

- (a) If the County Legislature has adopted a resolution of intention to establish or renew a Tourism Improvement District and levy a new or increased Tourism Improvement District Assessment, it shall hold a public hearing on the establishment or renewal of the Tourism Improvement District prior to adoption of the resolution establishing or renewing the Tourism Improvement District and levying the Assessment. Notice of the public hearing shall be mailed to the owners of the Businesses proposed to be subject to the Assessment.
- (b) The County Legislature shall provide at least thirty (30) days' written notice of the public hearing at which the County Legislature proposes to establish or renew the Tourism Improvement District and levy the Assessment.
- (c) A protest may be made by any Business Owner that will be subject to the proposed Assessment. Every protest must be in writing and shall be filed with the Clerk at or before the time fixed for the public hearing. The County Legislature may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the Business in which the person subscribing the protest is interested sufficient to identify the Business and, if a person subscribing is not shown on the official records of the County as the owner of the Business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the Business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from Business Owners representing more than fifty percent (50%) of the same basis used to determine the petition in Section 6 (a) and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed Assessment against such Businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the County Legislature.

Section 8. Changes to Proposed Tourism Improvement District Plan

At the conclusion of the public hearing to establish or renew the Tourism Improvement District, the County Legislature may adopt, revise, change, reduce, or modify the proposed Assessments, the boundaries of the Tourism Improvement District, or the types or categories of Businesses within the Tourism Improvement District subject to the Assessment. Proposed Assessments may only be revised by reducing any or all of them. The proposed Tourism Improvement District boundary may only be revised to exclude territory that will not benefit from the proposed Activities and Improvements. The types or categories of Businesses that will be subject to the proposed Assessment may only be revised to exclude the Business types or categories that will not benefit from the proposed Activities and Improvements. Any modifications, revisions, reductions, or changes to the proposed Tourism Improvement District Plan shall be reflected in the Tourism Improvement District Plan prior to the County Legislature' adoption of the resolution creating or renewing the Tourism Improvement District.

#### Section 9. Resolution Establishing or Renewing a Tourism Improvement District

- (a) If the County Legislature, following the public hearing, decides to establish or renew a proposed Tourism Improvement District, the County Legislature shall adopt a resolution of formation or renewal that shall include, but is not limited to, all of the following:
  - i) A brief description of the proposed Activities and Improvements, the amount of the proposed Assessment, a statement as to the types or categories of Businesses that will be subject to the Assessment, and a description of the exterior boundaries of the Tourism Improvement District, which may be made by reference to any plan or map that is on file with the County Clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the Activities and Improvements and the location and extent of the Tourism Improvement District.
  - ii) The number, date of adoption, and title of the resolution of intention.
  - iii) The time and place where the public hearing was held concerning the establishment or renewal of the Tourism Improvement District.
  - iv) A determination regarding any protests received. The County Legislature shall not establish or renew the Tourism Improvement District or levy Assessments if a majority protest was received.
  - v) A statement that the Businesses in the Tourism Improvement District established by the resolution shall be subject to any amendments to this law.
  - vi) A statement that the Activities and Improvements to be conferred on Businesses in the Tourism Improvement District will be funded by the levy of Assessments. The revenue from the levy of Assessments within a Tourism Improvement District shall not be used to for any purpose



other than the purposes specified in the Tourism Improvement District Plan, as modified by the County Legislature at the hearing concerning establishment or renewal of the Tourism Improvement District.

vii) A finding that the Businesses within the Tourism Improvement District will be benefited by the Activities and Improvements funded by the Tourism Improvement District Assessments.

(b) The adoption of the resolution of formation or renewal shall constitute the levy of Assessments in each of the fiscal years referred to in the Tourism Improvement District Plan.

Section 10. Expiration of Tourism Improvement District; Creation of new Tourism Improvement District Plan; Renewal of Tourism Improvement District.

If a Tourism Improvement District expires due to the time limit set pursuant to subsection (g) of Section 5, a new Tourism Improvement District Plan may be created and the Tourism Improvement District may be renewed pursuant to this law.

Section 11. Time and Manner of Collection of Assessments; Delinquent Payments.

The collection of the Assessments levied pursuant to this law shall be made at the time and in the manner set forth by the County Legislature in the resolution establishing or renewing the Tourism Improvement District and levying the Assessments. All delinquent payments for Assessments levied pursuant to this part may be charged interest and penalties.

Section 12. Time for Contesting Validity of Assessment.

The validity of an Assessment levied under this law shall not be contested in any action or proceeding unless the action or proceeding is commenced within thirty (30) days after the resolution establishing or renewing a Tourism Improvement District and levying the Assessment is adopted pursuant to Section 9. Any appeal from a final judgment in an action or proceeding shall be perfected within thirty (30) days after the entry of judgment.

Section 13. Certification to Establish Levels of County Services and Funding.

Prior to the establishment of a Tourism Improvement District, the County Legislature may certify the levels of County services and funding that will continue after a Tourism Improvement District has been formed.

Section 14. Request to Modify Tourism Improvement District Plan.

The owners' association may, at any time, request that the County Legislature modify the tourism improvement district plan. Any modification of the tourism improvement district plan shall be made pursuant to this law. The tourism improvement district plan shall not be modified, except by the request of the Owners' Association and only in the manner requested by the Owners' Association.

Section 15. Modification of Tourism Improvement District Plan by Resolution after Public Hearing; Adoption of Resolution of Intention.

- (a) Upon the written request of the Owners' Association, the County Legislature may modify the Tourism Improvement District Plan after conducting one (1) public hearing on the proposed modifications. The County Legislature may modify the Activities and Improvements to be funded with the revenue derived from the levy of the Assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of new or increased Assessments, the County Legislature shall comply with Section 7. Notice of all other public hearings pursuant to this section shall comply with both of the following:
  - i) The resolution of intention shall be published in a newspaper of general circulation in the County once at least seven (7) days before the public hearing.
  - ii) A complete copy of the resolution of intention shall be mailed by first class mail, at least ten (10) days before the public hearing, to each Business Owner affected by the proposed modification.
- (b) The County Legislature shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than ninety (90) days after the adoption of the resolution of intention.

Section 16. Report by Owners' Association; Approval or Modification by County Legislature.

- (a) The Owners' Association shall cause to be prepared a report for each fiscal year, except the first year, for which Assessments are to be levied and collected to pay the costs of the Activities described in the report. The Owners' Association's first report shall be due ninety (90) days after the first year of operation of the Tourism Improvement District.
- (b) The report shall be filed with the Clerk and shall refer to the Tourism Improvement District by name, specify the fiscal year to which the report

applies, and, with respect to that fiscal year, shall contain all of the following information:

- i) The Activities and Improvements to be provided for that fiscal year.
  - ii) An estimate of the cost of providing the Activities and Improvements for that fiscal year.
  - iii) The method and basis of levying the Assessments in sufficient detail to allow each Business Owner to estimate the amount of the assessment to be levied against his or her Business for that fiscal year.
  - iv) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (c) The County's Department of Audit and Control shall, upon requests the Owners Association for a copy of all reports and documents provided under this Section.

#### Section 17. Designation of Owners' Association to Provide Activities and Improvements

The Tourism Improvement District Plan may, but is not required to, state that an Owners' Association will provide the Activities and Improvements described in the Tourism Improvement District Plan. If the Tourism Improvement District Plan designates an Owners' Association, the County Legislature shall contract with the designated nonprofit corporation to provide Activities and Improvements in the Tourism Improvement District.

#### Section 18. Renewal of Tourism Improvement District; Transfer or Refund of Remaining Revenues

- (a) Any Tourism Improvement District previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this law.
- (b) Upon renewal, any remaining revenues derived from the levy of Assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed Tourism Improvement District.
- (c) There is no requirement that the boundaries, Assessments, Activities, or Improvements of a renewed Tourism Improvement District be the same as the original or prior Tourism Improvement District.

#### Section 19. Circumstances Permitting Disestablishment of Tourism Improvement District; Procedure.

- (a) Any Tourism Improvement District established or extended pursuant to the provisions of this law, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Tourism Improvement District, may be disestablished by resolution by the County Legislature in either of the following circumstances:
- i) If the County Legislature finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the Tourism Improvement District, it shall notice a hearing on disestablishment.
  - ii) During the operation of the Tourism Improvement District, there shall be a thirty (30) day period in which Businesses subject to the Assessment may request disestablishment of the Tourism Improvement District. The first such period shall begin two (2) years after the date of establishment of the Tourism Improvement District and shall continue for thirty (30) days. Each successive year of operation of the Tourism Improvement District shall have such a thirty (30) day period. Upon the written petition of Business Owners representing more than fifty percent (50%) of the same bases used to determine the petition in Section 6 (a), the County Legislature shall pass a resolution of intention to disestablish the Tourism Improvement District. The County Legislature shall notice a hearing on disestablishment.
- (b) The County Legislature shall adopt a resolution of intention to disestablish the Tourism Improvement District prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the Assessments levied within the Tourism Improvement District. The notice of the hearing on disestablishment required by this section shall be given by mail to the owner of each Business subject to Assessments in the Tourism Improvement District. The County Legislature shall conduct the public hearing not less than thirty (30) days after mailing the notice to the Business Owners. The public hearing shall be held not more than sixty (60) days after the adoption of the resolution of intention. At the conclusion of the public hearing, the County Legislature shall adopt a resolution disestablishing the Tourism Improvement District.

Section 20. Refund of Remaining Revenues upon Disestablishment or Expiration without renewal of Tourism Improvement District; Calculation of Refund; Use of Outstanding Revenue Collected after Disestablishment of Tourism Improvement District.

Upon the disestablishment or expiration without renewal of a Tourism Improvement District, any remaining revenues, after all outstanding debts are paid, derived from the levy of Assessments, or derived from the sale of assets acquired with the revenues, shall be spent in accordance with the Tourism Improvement District Plan or shall be refunded to the owners of the Businesses then located and operating within the Tourism Improvement District in which Assessments were levied by applying the same method and basis that was used to calculate the Assessments levied in the fiscal year in which the Tourism Improvement District is disestablished or expires.

Section 21. SEQRA Compliance.

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

Section 22. Effective Date.

This local law shall take effect immediately.

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

*Favorable Recommendation Law Committee – 3/24/21*

*No Recommendation Economic Development Committee – 3/24/21*



DANIEL P. MCCOY  
COUNTY EXECUTIVE

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

DANIEL C. LYNCH, ESQ.  
DEPUTY COUNTY EXECUTIVE

August 3, 2020

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

Dear Chairman Joyce:

The Office of the Albany County Executive respectfully requests that the Legislature enact a Local Law enabling the establishment of Tourism Improvement Districts (TID) in Albany County. The attached draft Local Law outlines the procedures the establishment, operation, modification, and disestablishment of these Districts. Tourism Improvement Districts, similar to Business Improvement Districts, are self-assessments on businesses in order to fund marketing efforts to increase the number of overnight visitors to an area.

The Albany County Convention and Visitors Bureau (Discover Albany), in partnership with the County Executive's Office, has worked with local hotels to develop widespread support for this supplemental funding which will provide enhanced services for the benefit of businesses within a District. These services include, but are not limited to: (1) marketing, (2) sales, (3) visitor enhancements, and (4) destination enhancements.

Hotels rely on consistent and effective marketing to increase occupancy, fill meeting space, and increase visitation during the winter season. Limited marketing funding, relative to our competition, has resulted in lost tourism opportunities for Albany County in recent years. By supplementing Hotel Occupancy Tax funding with a two percent fee on room bills, a TID will allow Discover Albany to better compete for tourism without burdening County taxpayers.

Additionally, while protecting public health remains the top priority during COVID-19, the impact of the pandemic on the tourism industry cannot be overstated. Establishing the framework for a Tourism Improvement District is an important first step in the effort to help rebuild our tourism industry in Albany County.

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

Sincerely

A handwritten signature in cursive script that reads "Daniel P. McCoy". The signature is written in black ink and is positioned above the typed name.

Daniel P. McCoy  
Albany County Executive

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



Legislation Text

File #: TMP-1746, Version: 1

**REQUEST FOR LEGISLATIVE ACTION**

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

Enabling the Establishment of Tourism Improvement Districts in Albany County

Date: 8/1/2020  
Submitted By: Lucas Rogers  
Department: Office of the County Executive  
Title: Senior Policy Analyst  
Phone: 518-447-7040  
Department Rep.  
Attending Meeting: Lucas Rogers/Michael McLaughlin

**Purpose of Request:**

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

**CONCERNING BUDGET AMENDMENTS**

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

- Contractual
- Equipment
- Fringe
- Personnel



- Personnel Non-Individual
- Revenue

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

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

**Contract Terms/Conditions:**

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

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

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

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

**CONCERNING ALL REQUESTS**

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

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

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes  No

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

Previous requests for Identical or Similar Action:

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

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

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

The Office of the Albany County Executive respectfully requests that the Legislature enact a Local Law enabling the establishment of Tourism Improvement Districts (TID) in Albany County. The attached draft Local Law outlines the procedures the establishment, operation, modification, and disestablishment of these Districts. Tourism Improvement Districts, similar to Business Improvement Districts, are self-assessments on businesses in order to fund marketing efforts to increase the number of overnight visitors to an area.

The Albany County Convention and Visitors Bureau (Discover Albany), in partnership with the County Executive's Office, has worked with local hotels to develop widespread support for this supplemental funding which will provide enhanced services for the benefit of businesses within a District. These services include, but are not limited to: (1) marketing, (2) sales, (3) visitor enhancements, and (4) destination enhancements.

Hotels rely on consistent and effective marketing to increase occupancy, fill meeting space, and increase visitation during the winter season. Limited marketing funding, relative to our competition, has resulted in lost tourism opportunities for Albany County in recent years. By supplementing Hotel Occupancy Tax funding with a two percent fee on room bills, the TID will allow Discover Albany to better compete for tourism without burdening County taxpayers.

Additionally, while protecting public health remains the top priority during COVID-19, the impact of the pandemic on the tourism industry cannot be overstated. Establishing the framework for a Tourism Improvement District is an important first step in the effort to help rebuild our tourism industry in Albany County.

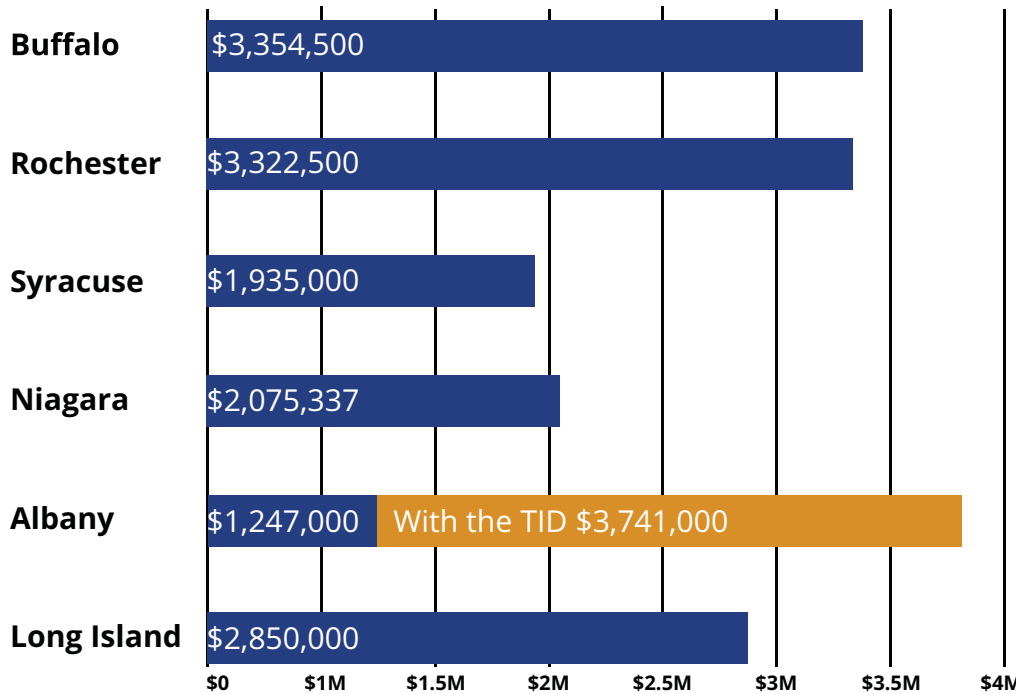
# Albany County

## TOURISM IMPROVEMENT DISTRICT (TID)

### What is a TID?

A TID, or Tourism Improvement District, much like a Business Improvement District is a self-assessment on a business in order to fund marketing efforts which would increase the number of overnight visitors to the area.

Discover Albany is not asking the County for more money. They are asking the County to **allow them to raise their own additional funds**. This is how they will catch up to – and ultimately surpass – their competition.



\*Based on pre-COVID-19 Occupancy Tax data.

### Why is this in addition to the current HOT tax and not a Replacement?

This is supplemental funding - the hotels are self-imposing this assessment via a 2% fee on room bills in order to enhance the work that their current Occupancy Tax collections support. If you take away one, the remaining funds will be insufficient to achieve the goals of the destination. In addition, hotels will not be willing to self-assess without continuation to receive existing funding at the current rate which is their responsibility to collect.

### How Discover Albany will use the TID to invest in Albany County Tourism?

#### SALES



Sports

Bid Fees

#### MARKETING



TV/Social Videos

Discover Albany Brand Awareness

Enhanced Ad Campaigns to Bring International Travelers

#### VISITOR ENHANCEMENT



Mobile Visitors Center for County-Wide Events

Adopt technology to enhance visitor experience

#### DESTINATION ENHANCEMENTS



Invest Money into Destination to Improve Visitor Experience

#### COVID-19 RECOVERY



## Events lost due to lack of funding:

United Church Pentecost International	U.S. National Jump Rope Championships
New York State Association of Fire Chiefs	New York State Association of Professional Land Surveyors
Future Business Leaders of America	National Grange of the Order of the Patrons of Husbandry
Association of Food and Drug Officials	Drum Corp Championships
NYS Rural Water Association	Lions Club of New York

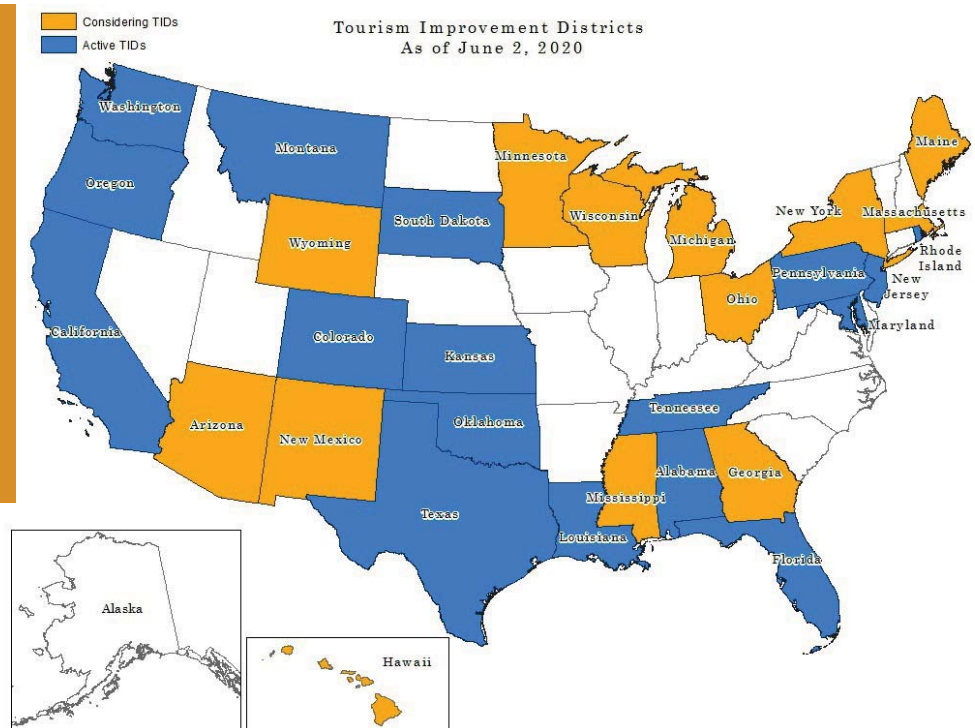
With the lack of marketing funds and focus, we have lost these events totaling over 22,000 room nights and \$17 million in economic impact to Albany County and local hotels. These hotels rely on consistent and creative marketing to:

- Increase Occupancy
- Fill Meeting Space
- Increase visitation during the winter season
- Increase annual REVPAR

It is Discover Albany's responsibility to ensure that hoteliers continue to see an increase in occupancy and ADR making this a viable destination for the investment for years to come.

## Who else is doing it?

Each year, more than 180 tourism improvement districts throughout the United States raise more than \$430 million for destination marketing. There are currently active TIDs in 17 states, with the latest formation happening in Mobile, AL in May 2020.



## 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, Commisso, 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:

BE IT ENACTED by the Legislature of the County of Albany as follows:

#### Section 1. Legislative Intent and purpose.

A. Section 11 Il-a of the Real Property Tax Law provides that, except in cities with a population of one million or more, the enforcing officer of a local municipality or his or her agent may determine that residential real property located therein may be subject to a redemption period of one year, only if the enforcing officer or his or her agent makes an affidavit to that effect and the property has been placed on a local municipal roll, or registry or list of vacant and abandoned property maintained by the taxing municipality

B. Section 1122 (subd. 2 (b)) of the Real Property Tax Law provides that a Tax District may have a separate roll registry or list for residential property identified by a local municipality pursuant to Section 1 Ill-a of the Real Property Tax Law as being vacant and abandoned.

C. Section 1110 (subd. 2) of the Real Property Tax Law provides that a Tax District may reduce the redemption period for residential vacant and abandoned property located within a local municipality to one year provided the property has been placed on a vacant and abandoned roll, or registry or list prior to the date on which real property taxes became delinquent in the local municipality pursuant to **Section 1111-a of the Real Property Tax Law.**

D. The purpose of this Local Law is to:

(1) authorize implementation by the County of Albany Tax District of the provisions of Sections 1110 (subd. 2) and 1122 (subd. (2)) of the Real Property Tax Law with respect to residential vacant and abandoned property located within local

municipalities in the County of Albany Tax District that have authorized implementation by said local municipality of Section 1111-a of the Real Property Tax Law; and

(2) require that those local municipalities located within the Tax District which have as authorized by Section 11 Il-a of the Real Property Tax Law therein at the time of the submission to the Albany County Tax District of said municipality's roll of properties determined by its enforcing officer to be vacant and abandoned, as a prerequisite to the acceptance of said roll by the County of Albany Tax District, shall therewith include an Affidavit of said enforcing officer:

(a) attesting that said local municipality as authorized by Section 1 Il-a of the Real Property Tax Law has duly authorized implementation of said Section 11 Il-a

within said local municipality at the time of its submission to the County of Albany Tax District of its separate roll for properties determined by it to be vacant and abandoned;

(b) attesting that said roll of vacant and abandoned real property submitted by it to the County of Albany Tax District has been created by said local municipality in conformity with the requirements of Section 11 Il-a of the Real Property Tax Law; and

(c) attesting that the time limitation on making an application to the Supreme Court for CPLR Article 78 review pursuant to Section 11 Il-a (subd. 5) of the Real Property Tax Law as to the properties listed on the separate roll for properties determined by said municipality to be vacant and abandoned submitted to the County of Albany Tax District has expired and that there is no such review application is pending as to any of the properties therein listed.

## SECTION 2. Severability

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

## SECTION 3. Effective Date

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

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

*Favorable Recommendation Law Committee – 3/24/21*

*Favorable Recommendation Audit and Finance Committee – 3/25/21*

## 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 Messrs. Miller, Efekoro, Ms. Lekakis, Messrs. A. Joyce, Feeney, Burgdorf, Drake, Grimm, Langdon, Lockart, Mauriello, Perlee, Tunny, Ms. Whalen, Messrs. Mayo, Reinhardt, Mss. Plotsky, Cunningham, Messrs. Kuhn, Peter, Ricard:

BE IT ENACTED by the County Legislature of the County of Albany as follows:

#### Section 1. Legislative Intent

In April 2019, the Governor signed legislation (S04524-B/A04950) authorizing local governments to enter into agreements with school districts for the installation and operation of school bus photo violation monitoring systems on school buses owned or operated by such school districts.

The State legislation allows local governments to impose liability on the owners of motor vehicles for the failure of the drivers of such vehicles to comply with the Law prohibiting the overtaking and/or passing of stopped school buses displaying red visual signals.

Multiple jurisdictions across the state and country have enacted similar legislation in response to a growing concern over the number of violations that occur while a school bus stop-arm is deployed; thereby endangering the lives of children.

Technological advancements now allow for the monitoring, capture, transfer and review of school bus stop arm infractions in violation of New York State Vehicle and Traffic Law. This Legislature finds that the use of comprehensive school bus photo violation monitoring systems can play an instrumental role in ensuring child safety and motorist accountability throughout Albany County; therefore

BE IT ENACTED by the Legislature of the County of Albany as follows:

#### Section 2. Definitions

For purposes of this Local Law, the following terms shall have the following meanings:

- a. "County" shall mean the County of Albany;
- b. "Manual on uniform traffic control devices" or "MUTCD" shall mean the manual and specifications for a uniform system of traffic control devices

maintained by the Commissioner of Transportation pursuant to section 680 of the New York Vehicle and Traffic Law;

- c. "Owner" shall have the meaning provided in article two-b of the New York Vehicle and Traffic Law; and
- d. "School bus photo violation monitoring system" shall mean a device that is capable of operating independently of an enforcement officer which is installed to work in conjunction with a school bus stop arm which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of a vehicle at the time it is used or operation in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law.

### **Section 3. Program Established**

- a. There is hereby established a demonstration program imposing monetary liability on owners of vehicles for failure of the operators thereof to comply with section 1174 of the New York Vehicle and Traffic Law.
- b. Under such demonstration program the County is empowered to install and operate school bus photo violation monitoring systems which may be stationary or mobile, and which may be installed, pursuant to an agreement with a school district within the County on school buses owned and operated by such school district or privately owned and operated for compensation under contract with such district. Provided however, that:
  - i. No stationary school bus photo violation monitoring system shall be installed or operated by the County except on roadways under jurisdiction of the County.
  - ii. No mobile school bus photo violation monitoring system shall be installed or operated on any such school buses unless the County and such district enter into an agreement for such installation and operation.
- c. The County Executive is hereby authorized to enter into agreements with school districts for the installation, maintenance and use of school bus photo violation monitoring systems, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County, subject to the provisions of this Section and §1174 of the New York State Vehicle and Traffic Law. Provided however, that the County shall not enter into an agreement with any city school district wholly contained within a city.



- d. Nothing in this Local Law shall be construed to prevent the County or a school district at any time from withdrawing or terminating any agreement entered into pursuant to this Local Law; provided, however, that the County or the school district shall provide no less than thirty (30) days' notice to other signatories of such agreement before withdrawing or terminating.
- e. The cost to the school district of the installation, maintenance and uses of school bus photo violation monitoring systems pursuant to an agreement authorized by this Local Law shall be borne entirely by the County. On or before September first of each year, the school district shall determine and certify to the County the total cost to the school district for the school year ending the preceding June thirtieth of installing, maintaining and using such systems within the County, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other record images and data produced by such systems to the County. On or before the following December first of each year, the County shall pay to the school district such cost so certified to it on or before the preceding September first.
- f. The County shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo violation monitoring device. Such measures shall include:
  - i. The utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such school bus violation monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle, pedestrians and cyclists;
    - A. However, a Notice of Liability issued pursuant to this Section shall not be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provide however that the County has made reasonable efforts to comply with the provisions of this paragraph;
  - ii. A prohibition on the use or dissemination of vehicle's license plate information and other information and images captured by school bus photo violation monitoring systems except: (a) as required to establish liability under this section or collect payment of penalties; (b) as required by court order; or (c) as otherwise required by law;

- iii. The installation of signage in conformance with standards established in the MUTCD at each roadway entrance of the jurisdictional boundaries of the County giving notice that school bus photo violation monitoring systems are used to enforce restrictions on vehicles violating section 1174 of the New York State Vehicle and Traffic Law. For purposes of this paragraph the terms “roadway” shall not include state expressway routes or state interstate routes but shall include controlled-access highway exit ramps that enter the boundaries of the County; and
- iv. Oversight procedures to ensure compliance with the aforementioned privacy protection measures.

#### **Section 4. Penalties**

An owner found liable for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law shall be liable pursuant to this Local Law for monetary penalties in accordance with the following fee schedule of fines and penalties:

- a. Two hundred and fifty dollars for a first violation;
- b. Two hundred and seventy five dollars for a second violation committed within eighteen months of the first violation;
- c. Three hundred dollars for a third or subsequent violation, all of which were committed within eighteen months from the first violation, and
- d. An additional penalty of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period.

#### **Section 5. Notice of Liability**

- a. A Notice of Liability shall be sent by first class mail to each person alleged to be liable as an owner of a vehicle, for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of delivery to the owner of the vehicle.
- b. A Notice of Liability shall contain:
  - i. the name and current address of the person alleged to be liable as an owner for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law; and
  - ii. the registration number of the vehicle involved in such violation; and
  - iii. the specific location where such violation took place, including the name of the road/street, the abutting address, the town/city/village, and the county and state; and
  - iv. the date and time of such violation; and

- v. the identification number of the camera which recorded the violation or other document locator number.
- c. A Notice of Liability shall contain information advising the owner of the manner and the time in which he or she may contest the liability alleged in the notice.
- d. Such Notice of Liability shall also contain a warning to advise the owners that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.
- e. The Notice of Liability shall be prepared and mailed by the County or local municipality in which the violation occurred, or by an entity authorized by the County or local municipality to prepare and mail said Notice of Liability.

### **Section 6. Owner Liability**

- a. The demonstration program established hereunder shall provide that the owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, and such violation is evidenced by information obtained from a school bus photo violation monitoring system; provided, however, that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of NY Vehicle and Traffic Law §1174(a) pursuant to this Local Law. For purposes of this subsection, there shall be a rebuttable presumption that such vehicle was used and operated with the consent of the owner at the time it as used or operated in violation of NY Vehicle and Traffic Law §1174(a).
- b. If an owner receives a Notice of Liability pursuant to this Local Law for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid affirmative defense to an allegation of liability for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that the vehicle had been stolen and reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the affirmative defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent by first class mail to the court having jurisdiction.
- c. An owner who is a lessor of a vehicle to which a Notice of Liability was issued pursuant to this Local Law shall not be liable for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, provided that the

entity or person sends to the Court a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within 37 days after receiving notice from the agency of the date and time of such violation, together with the other information contained in the original notice of liability. Failure to send such information within such 37-day time period shall render the owner liable for the penalty prescribed by this Local Law. Where the Lessor complies with the provisions of this paragraph, the Lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law and shall be sent a notice of liability pursuant to section 4 of this Local Law.

- d. A certificate sworn to or affirmed by a technician employed by the County, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a school bus photo violation monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation, and shall be preserved for said proceeding.
- e. It shall be a defense to any prosecution for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that such school bus stop-arms were malfunctioning at the time of the alleged violation, and said photographs, microphotographs, videotape or other recorded images shall be made available to any person or entity issued a Notice of Liability or violation to use for a defense.
- f. For the purpose of informing and educating owners of motor vehicles in this County, during the first thirty-day period in which a school bus violation monitoring system is in operation pursuant to the provisions of this Local Law, all owners of motor vehicles who would otherwise be held liable for failure of operators thereof to comply with subdivision (a) of section 1174 of the New York Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20 and 21-c of section 375 of such law, shall be issued a written warning in lieu of a notice of liability.

## **Section 7. Adjudication of Liability**

Liability pursuant to the demonstration program established hereunder shall be imposed upon owners by the local municipality wherein such violation occurred.

## **Section 8. Action for Indemnification**

If the owner held liable for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

## **Section 9. Annual Report**

- a. The County shall submit an annual report on the results of the use of a school bus photo violation monitoring system as required and provided for in NY Vehicle and Traffic Law § 1174-a(m).
- b. The County shall annually provide a copy of the annual report submitted pursuant to this Local Law, to each local law enforcement agency having jurisdiction to enforce violations of the vehicle and traffic law or any ordinance rule or regulation relating to traffic adopted pursuant to such law on roadways within the County.

## **Section 10. SEQRA Determination.**

This County Legislature determines that the adoption of this Local Law constitutes a “Type II action” as said term is defined in the State Environmental Quality Review Act (“SEQRA”), and that no further action with respect to same is required under SEQRA.

## **Section 11. Severability**

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

## **Section 12. Effective Date**

This Local Law shall be effective upon filing with the Secretary of State.

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

*Favorable Recommendation Law Committee – 3/24/21*

*Favorable Recommendation Mass Transit Committee – 3/24/21*

## LOCAL LAW NO. "E" FOR 2021

### A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR SPECIAL DEFERMENTS 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, Comisso, Domalewicz and A. Joyce:

BE IT ENACTED by the Legislature of the County of Albany as follows:

#### Section 1. Legislative Intent and Purpose

On January 30, 2021, Governor Cuomo signed legislation amending the Real Property Tax Law by adding article 19-A, allowing for limited deferment of the payment of property taxes and waiver of the associated interest and penalties during the COVID-19 declared state of emergency.

The County believes that the benefits offered to taxpayers by this legislation are crucial during the fiscal crisis caused by the COVID-19 global pandemic.

The collection of real property taxes is administered through local municipalities, which then make payment to the County of Albany for the portion of County taxes due. The County believes that the deadlines for collection of the municipal and county portions of taxes must remain consistent to avoid confusion for local taxpayers.

Accordingly, for any municipality which has passed or does pass legislation allowing for deferment of payment of property taxes and waiver of interest and penalties pursuant to Article 19-A of the Real Property Tax Law during the COVID-19 declared state of emergency, this Local Law shall act to equally defer the County's portion of the property taxes due.

#### Section 2. Deferment

Pursuant to Section 1910 of the New York State Real Property Tax law, the County of Albany hereby defers the payment of the County's portion of property taxes, including waiver of interest and penalties, for property located in any municipality in the County of Albany which has adopted legislation pursuant to Real Property Tax Law Section 1910. Any deferment of payment of the County's portion of property taxes shall be applicable only to those municipalities which have adopted legislation regarding the deferment of local property taxes pursuant to Article 19-A of the Real Property Tax Law, and such deferment shall be coterminous with the date established by each individual municipality.

At no point shall deferment of property tax payment due date extend more

than one hundred twenty days past the original due date of such taxes. If any municipality authorizes a deferment of payment of taxes to a date in excess of one hundred twenty days from the original due date for such taxes, the deferment of the County's portion of property taxes shall be one hundred twenty days past the original due date for such taxes.

Section 3. Effective date and repeal.

This local law shall take effect upon filing with Secretary of State and shall remain in effect until June 1, 2021, when it shall be deemed repealed.

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

*Favorable Recommendation Law Committee – 3/24/21*

*Favorable Recommendation Audit and Finance Committee – 3/25/21*