

County of Albany

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



Meeting Agenda

Thursday, May 27, 2021

6:30 PM

Held Remotely

Audit and Finance Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

CURRENT BUSINESS:

3. AMENDING THE 2021 SHERIFF'S OFFICE BUDGET: VEHICLE MAINTENANCE
4. AMENDING THE 2021 HEALTH DEPARTMENT BUDGET: PUBLIC HEALTH PREPAREDNESS COORDINATOR
5. AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: ADMINISTRATIVE ADJUSTMENTS
6. ESTABLISHING A REQUIREMENT PURSUANT TO REAL PROPERTY TAX LAW SECTION 487(9)(B) FOR A PILOT AGREEMENT ON ALL NEW SOLAR AND WIND ENERGY SYSTEMS IN ALBANY COUNTY
7. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE 2019 CYBER SECURITY GRANT PROGRAM AND AMENDING THE 2021 BUDGET
8. AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2020 THROUGH MARCH 31, 2021

County of Albany

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



Meeting Minutes

Thursday, April 29, 2021

6:30 PM

Held Remotely

Audit and Finance Committee

PREVIOUS BUSINESS:

Present: Legislator Wanda F. Willingham, Legislator Matthew T. Peter, William M. Clay, Raymond F. Joyce, David B. Mayo, Joseph E. O'Brien, Lynne Lekakis, Mark E. Grimm and Paul J. Burgdorf

1. APPROVING PREVIOUS MEETING MINUTES

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

2. AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

This proposal was tabled at the request of the Sponsor.

CURRENT BUSINESS:**3. ESTABLISHING A POLICY AND ELIGIBILITY REQUIREMENTS FOR THE 2021 LEGISLATIVE GRANT PROGRAM**

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

4. ESTABLISHING A LIVING WAGE FOR EMPLOYEES OF THE COUNTY OF ALBANY AND AMENDING THE 2021 ALBANY COUNTY BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion passed 7-2 with Messrs. Grimm and Burgdorf opposed.

5. REQUESTING THE NEW YORK STATE LEGISLATURE ENACT LEGISLATION REGARDING THE REFINANCING OF MUNICIPAL BONDS FOR THE SHAKER PLACE REHABILITATION AND NURSING CENTER

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

6. AUTHORIZING AN AGREEMENT REGARDING EXCESS INSURANCE AND AMENDING THE 2021 ALBANY COUNTY BUDGET

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

7. AUTHORIZING AGREEMENTS WITH VARIOUS LEAD PARTNERS REGARDING THE COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM

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

8. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT

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

9. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 439 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 19 LEXINGTON AVENUE (TAX MAP NO. 65-56.3-38) LOCATED IN THE CITY OF ALBANY

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

10. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 226 NORTH ALLEN STREET (TAX MAP NO. 64.36-1-10.1) IN THE CITY OF ALBANY

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

11. CONDITIONALLY AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 50 RAILROAD AVENUE IN THE TOWN OF COLONIE (TAX MAP NO. 53.05-4-24) AND 54 RAILROAD AVENUE (TAX MAP NO. 53.05-1-15) IN THE TOWN OF GUILDERLAND TO STORE AWAY WAREHOUSING AT GUILDERLAND, LLC

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

12. DECLARING A PORTION OF 209 CHURCH STREET (TAX MAP NO. 87.7-1-4) IN THE CITY OF ALBANY NO LONGER NECESSARY FOR PUBLIC USE AND AUTHORIZING THE CONVEYANCE OF SAID PORTION TO THE ALBANY PORT DISTRICT COMMISSION

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

13. AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE TOWN OF BERNE

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

14. AUTHORIZING CORRECTIONS OF THE TAX ROLLS FOR THE CITY OF ALBANY

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

15. AUTHORIZING CORRECTIONS OF TAX ROLLS FOR VARIOUS MUNICIPALITIES REGARDING REAL PROPERTY OF THE ALBANY COUNTY LAND BANK

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

16. AMENDING RESOLUTION NO 472 FOR 2020 REGARDING THE COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM AND AMENDING THE 2021 ALBANY COUNTY BUDGET

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

17. AUTHORIZING AN AGREEMENT WITH NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE REGARDING THE EMERGENCY RENTAL ASSISTANCE PROGRAM

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

RESOLUTION NO. 216

AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

Introduced: 6/8/20
By Mr. Commisso:

WHEREAS, The ongoing coronavirus pandemic has greatly impacted the expected revenues for the 2020 Fiscal Year for the County of Albany, which are necessary in order to maintain the functions and services of government that many rely upon, and

WHEREAS, In an effort to reduce the budget deficit facing Albany County, this Honorable Body has proposed to offer a one-time amnesty period to provide taxpayers a brief 90 day period to clear past-due taxes at a lowered interest rate, and

WHEREAS, During the proposed amnesty period, intended to motivate payments, the interest rate on unpaid delinquent taxes will be reduced by half from 1% added per month to .5% added, and

WHEREAS, There is proposed a handling fee of \$100 per property for all properties in which more than \$1,000 is owed in taxes, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to implement a one-time amnesty period from August 1, 2020 to October 31, 2020 for the reduction of interest charged on delinquent property taxes, and, be it further

RESOLVED, That the County Attorney is authorized to approve as to form and content agreements and documents necessary for the implementation of the aforementioned amnesty program, and, be it further

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

Referred to Audit and Finance Committee – 6/8/20



ALBANY COUNTY SHERIFF'S OFFICE

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



MICHAEL S. MONTELEONE
EXECUTIVE UNDERSHERIFF

CRAIG D. APPLE, SR.
SHERIFF

WILLIAM M. RICE
UNDERSHERIFF

SHAWN P. NOONAN
CHIEF DEPUTY

LEON A. BORMANN
CHIEF DEPUTY

April 14, 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.

Legislative approval is required to transfer \$118,000.00 from our EMS reserve account into the vehicle line to allow for an ambulance to be re-chassis. The preliminary estimate is between \$110,000.00 - \$113,000.00. We have attached a budget amendment.

Should there be any questions, do not hesitate to call.

Sincerely,


Craig D. Apple, Sr.
Sheriff

Att.

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

REQUEST FOR LEGISLATIVE ACTION

FOR COUNSEL USE ONLY	
DATE:	_____
RECEIVED:	_____
RECEIVED BY:	_____
METHOD:	<u>HAND</u> _____
	<u>COURIER</u> _____
	<u>MAIL</u> _____

DATE : APRIL 14, 2021

DEPARTMENT: ALBANY COUNTY SHERIFF'S OFFICE

CONTACT PERSON: SHERIFF CRAIG D APPLE SR
 TELEPHONE: 518-447-5440
 DEPT. REPRESENTATIVE ATTENDING SHERIFF CRAIG D APPLE SR
 COMMITTEE MEETING: _____

PURPOSE OF REQUEST:

- ADOPTION OF LOCAL LAW _____
 - AMENDMENT OF PRIOR LEGISLATION _____
 - APPROVAL/ADOPTION OF PLAN/PROCEDURE _____
 - BOND APPROVAL _____
 - BUDGET AMENDMENT (SEE BELOW) X
 - CONTRACT AUTHORIZATION (SEE BELOW) _____
 - ENVIRONMENTAL IMPACT _____
 - HOME RULE REQUEST _____
 - PROPERTY CONVEYANCE _____
 - OTHER: (STATE BRIEFLY IF NOT LISTED ABOVE) _____
- PERMISSION TO MOVE FUNDS FROM EMS AMBULANCE RESERVE TO THE 2021 ACTIVE BUDGET**

CONCERNING BUDGET AMENDMENTS

STATE THE FOLLOWING

INCREASE ACCOUNT/LINE NO. A93110.22400 (AUTOMOBILES)
 SOURCE OF FUNDS: AMBULANCE RESERVE FUND
 TITLE CHANGE: _____

CONCERNING CONTRACT AUTHORIZATION,

STATE THE FOLLOWING:

TYPE OF CONTRACT

- CHANGE ORDER/CONTRACT AMENDMENT _____
- PURCHASE (EQUIPMENT/ SUPPLIES) _____
- LEASE (EQUIPMENT/SUPPLIES) _____
- REQUIREMENTS _____
- PROFESSIONAL SERVICES _____
- EDUCATIONAL/TRAINING _____
- GRANT: NEW _____
- RENEWAL _____
- SUBMISSION DEADLINE DATE _____
- SETTLEMENT OF A CLAIM _____
- RELEASE OF LIABILITY _____
- OTHER: (STATE BRIEFLY) _____

CONCERNING CONTRACT AUTHORIZATION (CONT'D)

STATE THE FOLLOWING:

CONTRACT TERMS/CONDITIONS: _____ PARTY (NAME/ADDRESS): _____

AMOUNT/RATE SCHEDULE/FEE: _____

TERM: _____

SCOPE OF SERVICES: _____

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES _____ NO _____

FUNDING SOURCE: _____

COUNTY BUDGET ACCOUNTS:

REVENUE: _____

APPROPRIATION: _____

BOND(RES. NO. & DATE OF ADOPTION) _____

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE: YES _____ NO _____ X _____

IF MANDATED CITE: AUTHORITY _____

ANTICIPATED IN CURRENT ADOPTED BUDGET: YES _____ NO _____ X _____

IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS: _____

FISCAL IMPACT - FUNDING: _____ (DOLLARS OR PERCENTAGES)

FEDERAL _____

STATE _____

COUNTY _____ 100%

TERM/LENGTH OF FUNDING _____

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER: _____ 181 OF 2020 _____

DATE OF ADOPTION: _____ 5/11/2020 _____

JUSTIFICATION: _____ (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

THE \$118,000 TRANSFER WILL BE USED TO RECHASSIS ONE OF OUR AMBULANCES

BACK-UP MATERIAL SUBMITTED _____ (I.E. APPLICATION/APPROVAL NOTICES FROM FUNDING SOURCE, BID TABULATION SHEET, CIVIL SERVICE APPROVAL NOTICE, PROGRAM ANNOUNCEMENT, CONTRACTS AND/OR ANY MATERIALS WHICH EXPLAIN OR SUPPORT THE REQUEST FOR LEGISLATIVE ACTION.)

SUBMITTED BY: CRAIG D APPLE SR
TITLE: SHERIFF

2021 BUDGET AMENDMENT										
APPROPRIATIONS										
						ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	DEPARTMENT NAME
						A9 3110 2 2400	AUTOMOBILES	118,000.00		SHERIFF'S DEPT.
							TOTAL APPROPRIATIONS	118,000.00		
REVENUES										
						ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	DEPARTMENT NAME
						A A 00890	RESERVE EMS AMBULANCE FUND		118,000.00	SHERIFF'S DEPT.
							GRAND TOTALS	118,000.00	118,000.00	

RESOLUTION NO. 181

AMENDING THE 2020 SHERIFF'S OFFICE BUDGET: AMBULANCE SERVICES

Introduced: 5/11/20

By Audit and Finance Committee:

WHEREAS, The Sheriff has requested an amendment to the 2020 Sheriff's Office Budget to allow a budget transfer of \$63,500 in order to complete the purchase of a used ambulance from SIV Ambulances in Langhorne, PA, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the 2020 Sheriff's Office Budget is hereby amended as follows:

Decrease Reserve Account A00890 Reserve EMS Ambulance Program by \$63,500

Increase Appropriation Account A3110.2 by \$63,500 by increasing Line Item A3110 2 2400 Automobiles by \$63,500

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 - 5/11/20



DANIEL P. McCOY
County Executive

ELIZABETH F. WHALEN, MD, MPH
Commissioner of Health

DEPARTMENT OF HEALTH
COUNTY OF ALBANY
175 GREEN STREET
ALBANY, NEW YORK 12202

The Dr. John J.A. Lyons
ALBANY COUNTY HEALTH FACILITY
(518) 447-4580 FAX (518) 447-4698

MARIBETH MILLER, BSN, MS
Assistant Commissioner for Public Health

SHANNA F. WITHERSPOON, MPA
Assistant Commissioner Finance and Administration

April 28, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

Albany County Department of Health (ACDOH) is requesting approval to create a Public Health Preparedness Coordinator position. This position will be in our Emergency Preparedness division, this division focuses on strengthening the capacity to respond to all types of hazards including infectious disease outbreaks, natural disasters, biological, chemical and radiological incidents, and explosions. The duties of this position include overseeing logistics planning and operations, maintains program inventory and supplies, and completes annual and quarterly reports related to public health emergency preparedness grants and performance management. This position will be funded partially from our emergency preparedness grant and state aid reimbursement.

Please don't hesitate to contact me if you have any questions or need additional information.

Sincerely,

Elizabeth F. Whalen, MD, MPH
Commissioner of Health

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

Enclosures



Albany County Department of Health is nationally accredited and meets rigorous public health standards set forth to best meet the needs of our community.



County of Albany

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

Legislation Text

File #: TMP-2461, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Request to Amend the 2021 Health Department Budget

Date: 04/27/2021
 Submitted By: Elizabeth Whalen
 Department: Health
 Title: Commissioner of Health
 Phone: 518-447-4584
 Department Rep.
 Attending Meeting: Elizabeth Whalen

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.: Various lines 12159, 22050, 22001
Source of Funds: Federal, State and County
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: \$30,984
Scope of Services: Create a Public Health Preparedness Coordinator position in our
Emergency Preparedness division.

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: Various lines (1.2159, 2.2201, 2.2050, 4.4046)
Appropriation Amount: \$30,984

Source of Funding - (Percentages)

Federal: 50%
State: 36%
County: 14%
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)

Albany County Department of Health is requesting approval to create a Public Health Preparedness Coordinator position. This position will be in our Emergency Preparedness division that focuses on strengthening the capacity to respond to all types of hazards including infectious disease outbreaks, natural disasters, biological, chemical and radiological incidents, and explosions. The duties of this position involve overseeing logistics planning and operations, maintains program inventory and supplies, and completes annual and quarterly reports related to public health emergency preparedness grants and performance management. This position will be funded partially from our emergency preparedness grant and state aid reimbursement.

APPROPRIATIONS										
	ACCOUNT NO.				RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME	
A	4010	1	2159		Public Health Preparedness Coordinator	\$ 28,184.00	\$ -	\$ 56,368.00	Health Dept.	
A	4010	2	2001		Office Equipment	\$ 300.00	\$ -	\$ -	Health Dept.	
A	4010	2	2050		Computer Equipment	\$ 2,500.00	\$ -	\$ -	Health Dept.	
A	4010	4	4046		Fees For Services		\$ 30,984.00	\$ -	Health Dept.	
					TOTAL APPROPRIATIONS	\$ 30,984.00	\$ 30,984.00			
REVENUES										
	ACCOUNT NO.				RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME	
					TOTAL ESTIMATED REVENUES	\$ -	\$ -			
					GRAND TOTALS	\$ 30,984.00	\$ 30,984.00			



Daniel P. McCoy
County Executive

Larry I. Slatky
Executive Director

May 4, 2021

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to implement amendments to the 2021 budget that will adjust Activity department titles and compensation.

Our Assistant Director of Leisure Time Activity staff member resigned last month. The nursing home evaluated the responsibilities of the department staff and determined that the Assistant Director position is no longer required, as the Director can handle these obligations. We also determined that due to the revised CMS and New York State Department of Health regulatory reimbursement requirements for PDPM, that the Activity department requires an additional Certified Occupational Therapy Assistant and that the Activities Assistant qualifications do not meet today's regulatory requirements. Therefore, the Activity Assistant position should be eliminated and replaced with an Activity Leader.

We are requesting the elimination and funding of the Assistant Director of Leisure Time Activity and Activity Assistant positions for a total reduction in budget of \$69,536.00 and create two (2) new budget lines with the title of Occupational Therapy Assistant, with an annual compensation of \$37,100.00 and the creation of another Activity Leader position at an annual salary of \$31,437.00, for a total of \$68,537.00, which will lower our annual budget by \$999.00.

We respectfully request that the recommendations above be approved. We thank you in advance for your consideration.

Sincerely,

Larry I. Slatky
Executive Director

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-2483, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Activity Department Staff Amendments to the 2021 Budget

Date:	May 4, 2021
Submitted By:	Larry I. Slatky
Department:	Shaker Place Rehabilitation and Nursing Center
Title:	Executive Director
Phone:	518-213-8940
Department Rep.	
Attending Meeting:	Larry I. Slatky

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.: NH 6020 Occupational Therapy Assistant/Activity Leader
Source of Funds: Eliminate Titles Asst. Dir. Leisure Time Activity/Activity Asst
Title Change: Eliminate Source of Fund Line Titles/Create Increase Account Line No.

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):

Shaker Place Rehabilitation and Nursing Center
100 Heritage Lane
Albany, New York 12211

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: NH 6020 11919001 640022 \$46,078.00/NH 6020 15293004 640513
\$23,458.00 Eliminate These Titles and Create Occupational Therapy Assistant \$37,100.00 and Activity Leader
\$31,347.00.

Scope of Services: The Shaker Place Assistant Director Leisure Time Activity has resigned/retired and due to the revisions of the NYSDOH/CMS regulations the Activities Assistant Title is no longer required. Therefore, we are recommending to eliminate these two titles and budget lines and create an Occupational Therapy Assistant and Activity Leader line to comply with NYSDOH PDPM regulations and reimbursement criteria. This budget amendment will save \$999.00 per year.

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: NYSDOH

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: NH 6020 11919001 640022/NH 6020 15293004 640513/Create two
new budget lines
Appropriation Amount: \$46,078.00/\$23,488.00/Add: \$37,100.00/\$31,437.00

Source of Funding - (Percentages)

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

Term

Term: (Start and end date) 6/1/2021-12/31/2021
Length of Contract: N/A

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)

With the retirement of the Assistant Director of Leisure Time Activity it will allow us to adjust the department's staffing to comply with NYSDOH and CMS regulatory requirements toward the PDPM program.

APPROPRIATIONS

ACCOUNT NO.				DATE	RESOLUTION DESCRIPTION	INCREASE
NH6020	11919	001	640022		Asst. Dir. Leisure Time Activity	
NH6020	15293	004	640513		Activities Assistant	
NH6020	15151				Occupational Therapy Assistant	18,550.00
NH6020	15291				Activity Leader	15,674.00
TOTAL APPROPRIATIONS						34,224.00

ESTIMATED REVENUE

ACCOUNT NO.				DATE	RESOLUTION DESCRIPTION	DECREASE
TOTAL ESTIMATED REVENUES						0.00
GRAND TOTAL						34,224.00

S

DECREASE UNIT COS DEPARTMENT NAME

19,879.00	Shaker Place Rehabilitation and Nursing Center
14,345.00	Shaker Place Rehabilitation and Nursing Center
	Shaker Place Rehabilitation and Nursing Center
	Shaker Place Rehabilitation and Nursing Center

34,224.00

JES

INCREASE UNIT COS DEPARTMENT NAME

0.00

34,224.00



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

April 22, 2021

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

Re: Resolution requiring a PILOT for Solar and Wind energy systems with the County of Albany

Dear Chairman Joyce,

Real Property Tax Law §487 requires a 15 year property tax exemption to the owners of energy producing systems that are defined under RPTL §487(1). Within the county the most commonly constructed type of energy producing system are solar arrays. These arrays are commercial scale installations, producing a minimum of 1 megawatt of electricity. RPTL §487(9) allows the county, city, town, village or school district (“taxing jurisdictions”) to negotiate a PILOT with the owners of the energy system. Without a PILOT property taxes would not be paid on the value of the energy system for 15 years. PILOTs are essential to ensure that all property owners within the county are paying their fair share of taxes. Without PILOT agreements the solar array’s share of property taxes would be unfairly shifted to all other tax payers within the county.

My office has been working with the Office of the County Executive and other taxing jurisdictions to negotiate PILOT agreements for eligible energy systems. As required under §487(9)(a) energy system developers have to notice the County of Albany of their intent to construct a system within the county. Once notified of the intent the County of Albany has sixty (60) days to notify the energy system developer of our intent to require a PILOT. If the County of Albany fails to notify to developer within 60 days we then lose the right to negotiate a PILOT. This matter has been litigated, there is no wiggle room. I have included a copy of *Laertes Solar, LLC. Et al. v. Assessor of the Town of Harford, et al.* The Laertes decision establishes precedent requiring the County of Albany to notify developers of our intent to require a PILOT within 60 days.

The 2021-2022 NYS Budget amended RPTL §487 to include subsection §487(9)(b). Subsection (b) authorizes the Albany County Legislature to adopt a resolution indicating our ongoing intent to require a PILOT for energy producing systems. A resolution would be considered notification to developers and eliminate the existing notification requirement. The resolution would remain in effect until repeal.

I am requesting that the Albany County Legislature adopt a resolution indicating our ongoing intent to require a contract for a PILOT for energy systems as defined under RPTL §487.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McGuire", written over a horizontal line.

Michael McGuire, Director
Real Property Tax Service Agency

CC: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kenneedy, 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-2450, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Resolution requiring a PILOT for Solar and Wind energy systems with the County of Albany body

Date:	4/22/2021
Submitted By:	Michael McGuire
Department:	Real Property Tax Service Agency
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) 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) until repeal
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)

Real Property Tax Law §487 requires a 15 year property tax exemption to the owners of energy producing systems that are defined under RPTL §487(1). Within the county the most commonly constructed type of energy producing system are solar arrays. These arrays are commercial scale installations, producing a minimum of 1 megawatt of electricity. RPTL §487(9) allows the county, city, town, village or school district (“taxing jurisdictions”) to negotiate a PILOT with the owners of the energy system. Without a PILOT property taxes would not be paid on the value of the energy system for 15 years. PILOTs are essential to ensure that all property owners within the county are paying their fair share of taxes. Without PILOT agreements the solar array’s share of property taxes would be unfairly shifted to all other tax payers within the county.

My office has been working with the Office of the County Executive and other taxing jurisdictions to negotiate PILOT agreements for eligible energy systems. As required under §487(9)(a) energy system developers have to notice the County of Albany of their intent to construct a system within the county. Once notified of the intent the County of Albany has sixty (60) days to notify the energy system developer of our intent to require a PILOT. If the County of Albany fails to notify to developer within 60 days we then lose the right to negotiate a PILOT. This matter has been litigated, there is no wiggle room. I have included a copy of *Laertes Solar, LLC. Et al. v. Assessor of the Town of Harford, et al.* The Laertes decision establishes precedent requiring the County of Albany to notify developers of our intent to require a PILOT within 60 days.

The 2021-2022 NYS Budget amended RPTL §487 to include subsection §487(9)(b). Subsection (b) authorizes the Albany

County Legislature to adopt a resolution indicating our ongoing intent to require a PILOT for energy producing systems. A resolution would be considered notification to developers and eliminate the existing notification requirement. The resolution would remain in effect until repeal.

I am requesting that the Albany County Legislature adopt a resolution indicating our ongoing intent to require a contract for a PILOT for energy systems as defined under RPTL §487.

Matter of Laertes Solar, LLC v Assessor of the Town of Harford

Matter of Laertes Solar, LLC v Assessor of the Town of Harford 2020 NY Slip Op 02302
Decided on April 16, 2020 Appellate Division, Third Department Published by New York State
Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject
to revision before publication in the Official Reports.

Decided and Entered: April 16, 2020
528301 528703

[*1]In the Matter of Laertes Solar, LLC, et al., Respondents,

v

Assessor of the Town of Harford et al., Appellants.

Calendar Date: February 10, 2020

Before: Lynch, J.P., Clark, Devine, Pritzker and Reynolds Fitzgerald, JJ.

Hancock Estabrook, LLP, Syracuse (Alan J. Pierce of counsel), for appellants.

Goldman Attorneys PLLC, Albany (Paul J. Goldman of counsel), for Laertes Solar, LLC,
respondent.

Cornell University, Ithaca (Jared M. Pittman of counsel), for Cornell University, respondent.

Devine, J.

Appeals (1) from a judgment of the Supreme Court (Guy, J.), entered October 3, 2018 in Cortland County, which granted the application of petitioner Laertes Solar, LLC, in a combined proceeding pursuant to CPLR article 78 and action for declaratory judgment, to, among other things, annul a determination of respondent Assessor of the Town of Harford denying said petitioner's request for a real property tax exemption, and (2) from an order of said court, entered November 30, 2018 in Cortland County, which denied respondents' motion to renew and/or reargue.

The Board of Education of respondent Dryden Central School District (hereinafter school district) adopted a resolution in 2014 to opt out of a tax exemption for, as is relevant here, the value of solar energy systems subsequently installed on real property in the school district (see RPTL 487 [2], [8]). The school district was obliged to file the 2014 resolution with officials at the Department of Taxation and Finance (hereinafter Department) and the New York State

Energy and Research Development Authority (hereinafter NYSERDA), but did not file with NYSERDA (see RPTL 487 [8] [a]). Petitioner Laertes Solar, LLC later built a solar energy system (hereinafter the system) on real property within the school district under an agreement with petitioner Cornell University. The property is owned by the State University of New York and under the control of Cornell — and thereby exempt from property taxes — but the agreement between Cornell and Laertes reflects that the latter "own[ed] and maintain[ed]" the system (see Education Law § 5712; RPTL 404). Respondent Assessor of the Town of Harford accordingly determined that Laertes owned the system, created a new tax parcel for it and assigned it a school taxable value for the 2017 assessment rolls. Laertes applied for a tax exemption pursuant to RPTL 487 that was denied (see RPTL 487 [6]).[FN1]

Laertes paid the school tax bill under protest, then commenced this combined CPLR article 78 proceeding and action for declaratory judgment arguing, among other things, that the system was tax exempt under RPTL 487 because the 2014 resolution was ineffective. Cornell was granted intervenor status by stipulation of the parties and served an intervenor pleading that largely tracked the petition. Respondents joined issue and thereafter moved to dismiss the amended petition/complaint (see CPLR 3211 [e]; 7804 [f]). Supreme Court denied the motion and, finding that the pertinent facts were undisputed, went further to determine that the system was tax exempt under RPTL 487 and that the petition/complaint should be granted on that basis. Respondents appeal from that judgment, as well as a subsequent order that denied their motion for reargument and/or renewal.[FN2]

RPTL 487 (2) exempts from real property taxation "any increase in the value [of real property] by reason of the inclusion of [a solar energy system] for a period of [15] years." There is no dispute that the school district was entitled to opt out of the exemption and that the 2014 resolution was an attempt to do so (see RPTL 487 [8]). The question is whether the 2014 resolution was effective despite the school district's failure to comply with the statutory direction that the resolution be filed with both the Department and NYSERDA (see RPTL 487 [8] [a]). In answering that question, we will strictly construe the statute against those claiming the exemption, but will not adopt an interpretation "so narrow and literal as to defeat [the statute's] settled purpose" (*People ex rel. Watchtower Bible & Tract Socy. v Haring*, 8 NY2d 350, 358 [1960]; accord *Matter of Gordon v Town of Esopus*, 15 NY3d 84, 90 [2010]; see *Matter of Suozzi v Tax Appeals Trib. of the State of N.Y.*, 179 AD3d 1253, 1255 [2020]; *Newsday, Inc. v Town of Huntington*, 82 AD2d 245, 249-250 [1981], *affd* 55 NY2d 272 [1982]).

The statute directs that an opt-out resolution "shall be filed" with the Department and NYSERDA (RPTL 487 [8] [a]), mandatory language that, although not determinative, "is ordinarily construed as peremptory in the absence of circumstances suggesting a contrary legislative intent" (*People v Schonfeld*, 74 NY2d 324, 328 [1989]; accord *Matter of Janus Petroleum v New York State Tax Appeals Trib.*, 180 AD2d 53, 54 [1992]; see *Murphy Constr. Corp. v Morrissey*, 168 AD2d 877, 878 [1990]; *McKinney's Cons Laws of NY*, Book 1, Statutes § 171). We are unable to discern a contrary intent. To the contrary, the Legislature carved out the ability for localities to opt out from the previously general tax exemption afforded by RPTL 487 (see L 1990, ch 121, § 5; *Mem of State Division of Equalization and Assessment*, Bill Jacket, L 1990, ch 121 at 21) and, by detailing how a locality may deprive landowners of a tax exemption to which they would otherwise be entitled, the strong implication is that opting out cannot, "even

although there are no negative words, be done in any other manner" (*Hardman v Bowen*, 39 NY 196, 199 [1868]; see *City of Rochester v Bloss*, 77 App Div 28, 31-32 [1902], *affd* 173 NY 646 [1903]). Moreover, when the tax exemption afforded by RPTL 487 was last extended in 2014, the Legislature made clear that the tax exemption furthered the public policy of "spur[ring] the development of renewable energy across New York State" and that changes to the statutory language ensured "fair play for both the taxing jurisdiction and the developer" through proper and timely notice of an opt-out resolution's adoption (Senate Introducer's Mem in Support, Bill Jacket, L 2014, ch 344 at 8). Those aims would both be undermined if the filing requirements of RPTL 487 (8), which enable the creation of a statewide "opt-out" registry that is consulted by renewable energy developers such as Laertes, were deemed to be permissive.

The foregoing examination of "the language of the statute and the legislative intent underlying it" (*Matter of Syquia v Board of Educ. of Harpursville Cent. School Dist.*, 80 NY2d 531, 536 [1992]) leads us to agree with Supreme Court that the filing requirements of RPTL 487 (8) are mandatory and that the 2014 resolution was inapplicable to the system given the school district's failure to meet those requirements during the relevant period (see RPTL 487 [8] [a]). Indeed, although we need not defer to the Department's interpretation of RPTL 487 given that this case presents a question "of pure statutory reading and analysis, dependent only on accurate apprehension of legislative intent" (*Lorillard Tobacco Co. v Roth*, 99 NY2d 316, 322 [2003] [internal quotation marks and citations omitted]; see *Matter of Level 3 Communications, LLC v Erie County*, 174 AD3d 1497, 1500 [2019]), it is notable that the Department has also taken the position that an opt-out resolution "must be filed" with both it and NYSERDA (NY St Div of Taxation & Fin, *Recently Asked Questions About the Real Property Tax Law on the Topic of Solar Energy Systems*, available at <https://www.tax.ny.gov/pdf/publications/orpts/legal/raq2-18.pdf>). It follows that — even assuming that the system may be viewed as a distinct parcel of real property that may be taxed — Laertes was entitled to the RPTL 487 exemption for which it applied (see RPTL 487 [6]).

Respondents, anticipating the possibility that we would find the 2014 resolution to be inapplicable, further argue that the school district was entitled to demand that Laertes enter into a payment in lieu of taxes (hereinafter PILOT) agreement (see RPTL 487 [9] [a]). To the extent that this argument is properly before us, the school district could require Laertes to enter into a PILOT agreement absent a valid opt-out resolution, but notice of intent to do so had to be given within 60 days of receiving a "written notification [from the owner or developer] of its intent to construct such a system" (RPTL 487 [9] [a]). The school district was aware that the system existed given that it was assessed a taxable value and was notified in writing of that fact by Laertes no later than September 28, 2017, when a check for the taxes due on the system was sent with correspondence from Laertes reserving its right to contest the bill. The school district did not notify Laertes of its intent to require a PILOT agreement until December 19, 2017, over 60 days later. Thus, having failed to comply with the requirements set forth by RPTL 487 (9), the school district may not demand a PILOT agreement.

Finally, respondents acknowledged at oral argument that the 2014 opt-out resolution had not been properly filed and that the only question under RPTL 487 was the legal effect of that failure, and Supreme Court granted the petition/complaint on that issue alone. Their present argument that Supreme Court improperly granted the petition/complaint without giving them an

opportunity to conduct further discovery — to the extent that it relates to the RPTL 487 issue actually decided by Supreme Court — is unpreserved, as well as without merit (see *General Elec. Capital Corp. v Highgate Manor Group, LLC*, 69 AD3d 992, 993-994 [2010]). In view of the foregoing, we need not reach the parties' arguments regarding alternate grounds for holding the system to be exempt from real property taxation.

Lynch, J.P., Clark, Pritzker and Reynolds Fitzgerald, JJ., concur.

ORDERED that the judgment and order are affirmed, without costs.

Footnotes

Footnote 1: The school district adopted and properly filed a second opt-out resolution in 2017, but there is no dispute that the 2017 resolution does not apply to previously constructed projects like the system.

Footnote 2: With regard to respondents' appeal from the order denying their motion for reargument and/or renewal, the denial of the former is not appealable and respondents abandoned issues relating to the latter by failing to raise those points in their brief (see *Pryba v Pryba*, 70 AD3d 1109, 1109 n [2010]).

§ 487. Exemption from taxation for certain energy systems.

9. (a) A county, city, town, village or school district, except a school district under article fifty-two of the education law, that has not acted to remove the exemption under this section may require the owner of a property which includes a solar or wind energy system which meets the requirements of subdivision four of this section, to enter into a contract for payments in lieu of taxes. Such contract may require annual payments in an amount not to exceed the amounts which would otherwise be payable but for the exemption under this section. If the owner or developer of such a system provides written notification to a taxing jurisdiction of its intent to construct such a system, then in order to require the owner or developer of such system to enter into a contract for payments in lieu of taxes, such taxing jurisdiction must notify such owner or developer in writing of its intent to require a contract for payments in lieu of taxes within sixty days of receiving the written notification. Written notification to a taxing jurisdiction for this purpose shall include a hard copy letter sent to the highest-ranking official of the taxing jurisdiction. Such letter shall explicitly reference subdivision nine of section four hundred eighty-seven of the real property tax law, and clearly state that, unless the taxing jurisdiction responds within sixty days in writing with its intent to require a contract for payments in lieu of taxes, such project shall not be obligated to make such payments.

(b) Notwithstanding paragraph (a) of this subdivision, should a taxing jurisdiction adopt a law or resolution at any time within or prior to the sixty day window, indicating the taxing jurisdiction's ongoing intent to require a contract for payments in lieu of taxes for such systems, such law or resolution shall be considered notification to owners or developers and no further action is required on the part of the taxing jurisdiction, provided that such law or resolution remains in effect through the end of the sixty day notification period.



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

April 28, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

The County Executive's Office, on behalf of the Division of Information Services, is requesting permission to accept the New York State Division of Homeland Security and Emergency Services (DHSES) FY2019 Cyber Security Grant for a total of \$43,674. This grant will allow the purchase of enhanced cyber security software and support for Albany County. The Department of Information Services has identified software to protect data currently contained in Office 365. With the exponentially increased use of OneDrive and SharePoint in Office 365 because of employees working from home it has increased the County's exposure to data loss. Albany County is looking to purchase the Varonis modules for Office 365 SharePoint and OneDrive.

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

Sincerely,

Daniel P. McCoy
Albany County Executive

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



County of Albany

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

Legislation Text

File #: TMP-2474, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Request to accept NYS Division of Homeland Security and Emergency Services (DHSES) FY2019 Cyber Security Grant Program and amend 2021 Division of Information Services' Budget

Date:	4/28/21
Submitted By:	Patrick Alderson
Department:	County Executive's Office
Title:	Policy Analyst
Phone:	518-447-3033
Department Rep.	
Attending Meeting:	Patrick Alderson

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.: A3168003306
Source of Funds: NYS Division of Homeland Security and Emergency Services
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

Acceptance

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):

NYS Division of Homeland Security and Emergency Services (DHSES)
1220 Washington Avenue
State Office Campus, Building 7A
Albany, NY 12226

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$43,674
Scope of Services: Purchase additional Varonis Data Security modules to protect and monitor data currently contained in Office 365.

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: A3168003306
Revenue Amount: \$43,674

Appropriation Account and Line: A9168044021
Appropriation Amount: \$43,674

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) 04/01/21 - 08/31/2022
Length of Contract: 17 months

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: 2021-41 (Apply); 2019-508 (Accept)
Date of Adoption: 2/8/21; 11/12/19

Justification: (state briefly why legislative action is requested)

The County Executive's Office, on behalf of the Division of Information Services, is requesting authorization to accept the FY2109 Division of Homeland Security and Emergency Services (DHSES) Cyber Security Grant for a total of \$43,673. Additionally, we are requesting that the 2021 Division of Information Services' budget be amended. This grant will allow the purchase of enhanced cyber security software and support for Albany County. The Department of Information Services has identified software to protect data currently contained in Office 365. With the exponentially increased use of OneDrive and SharePoint in Office 365 because of employees working from home, it has increased the County's exposure to data loss. Albany County is looking to purchase the Varonis modules for Office 365 SharePoint and OneDrive.



**Homeland Security
and Emergency Services**

ANDREW M. CUOMO
Governor

PATRICK A. MURPHY
Commissioner

March 26, 2021

The Honorable Daniel P. McCoy
Albany County Executive
Harold L. Joyce Albany County Office Building
112 State Street, Room 900
Albany, NY 12207

Dear Mr. McCoy:

I am pleased to announce that Albany County has been awarded \$43,674 in federal funding under the FY 2019 Cyber Security Grant Program. Funding for this initiative is provided by the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP) and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES). The performance period for this award is April 1, 2021 through August 31, 2022.

As outlined in your application, this funding is provided to enhance and sustain your jurisdiction's cyber security posture as well as ensure that your information systems are secured and protected from cyber incidents through equipment, training, exercise, and planning projects.

Additionally, all capabilities developed through federal FY 2019 SHSP funding are required to be deployable regionally and nationally per the federal guidelines. All funding through this grant program is subject to both New York State and federal guidelines and regulations.

To ensure these funds are made available as quickly as possible, a representative from DHSES's Grants Program Administration Unit will be reaching out to your grant point of contact. If you have any questions about this program, please contact my Program Manager of Grants Program Administration, Eric Abramson at (518) 402-2123.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

Patrick A. Murphy
Commissioner

cc: Patrick Alderson, Policy Analyst, Albany County

Budget Amendment Spreadsheet - 2021

ACCOUNT NO.	RESOLUTION DESCRIPTION	ORIGINAL BUDGET	INCREASE	DECREASE	REVISED BUDGET
A9 1680 44021	Computer Supplies		\$43,674.00		\$43,674.00
TOTAL APPROPRIATIONS			\$43,674.00	\$0.00	

ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	REVISED BUDGET
A3 1680 03306	Homeland Security		\$43,674.00	\$43,674.00
TOTAL ESTIMATED REVENUES		\$0.00	\$43,674.00	
GRAND TOTALS		\$43,674.00	\$43,674.00	

DEPARTMENT NAME

Information Services

DEPARTMENT NAME

Information Services

RESOLUTION NO. 41

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 CYBER SECURITY GRANT FOR THE ALBANY COUNTY DIVISION OF INFORMATION SERVICES

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The County Executive has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant for the Albany County Division of Information Services in an amount not to exceed \$43,673, and

WHEREAS, The County Executive indicated that, if granted, funding will be allocated to the purchase of enhanced cyber security software and support for Albany County which is necessary due to increased remote working, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant in the amount not to exceed \$43,673 for the purchase of enhanced cyber security software and support, and, be it further

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

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

RESOLUTION NO. 508

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE 2018 CYBER SECURITY GRANT PROGRAM AND AMENDING THE 2019 BUDGET

Introduced: 11/12/19

By Public Safety Committee:

WHEREAS, The Albany County Executive has requested authorization to enter into an agreement with the New York State Division of Homeland Security and Emergency Services (DHSES) regarding funding for the 2018 Cyber Security Grant Program in the amount of \$28,950, with no County match, for a term commencing October 1, 2019 and ending September 30, 2021, and

WHEREAS, The County Executive has indicated the grant funds will be used for the purchase of enhanced cyber security enterprise software and support, and has requested a budget amendment to appropriate the aforementioned grant funding, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with DHSES regarding funding for the 2018 Cyber Security Grant Program in the amount of \$28,950, with no County match, for a term commencing October 1, 2019 and ending September 30, 2021, and, be it further

RESOLVED, That the 2019 Budget it amended as follows:

Increase Revenue Account A3306 Homeland Security by \$28,950

Increase Appropriation Account A1680.2 by \$28,950 by increasing Line Item A1680 2 2050 Computer Equipment by \$28,950

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.

Adopted by unanimous vote – 11/12/19

Mr. A. Joyce abstained.



**Department of
Taxation and Finance**

May 6, 2021

Mr. Bruce A. Hidley
Albany County Clerk
16 Eagle Street
Albany, NY 12207-1077

Re: Semi-Annual Report for the period October 1, 2020 through March 31, 2021.

Dear Mr. Hidley,

Your joint Semi-Annual Report, NY Form AU-202, which we received on May 5, 2021 is approved. The net amount of \$5,683,208.71 due to the respective tax districts is recognized. The report may be submitted to your County Legislative Body for their action, pursuant to Section 261 of the Tax Law.

Sincerely yours,

Joseph Mayer

Joseph Mayer
Excise Tax Technician 2
Telephone: (518) 862-6074

New York State Mortgage Tax Semi-Annual Report

County of Albany for the period: OCTOBER 1, 2020

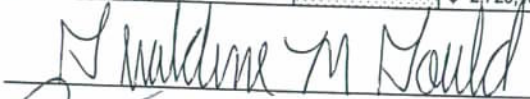
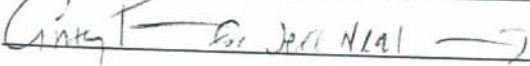
through MARCH 31, 2021

Part I

Cash Statement for Taxes Collected Pursuant to Article 11

Months	BASIC TAX DISTRIBUTED					TREASURER			ALL OTHER TAXES DISTRIBUTED				
	1 Basic tax collected	2 Interest received by recording officer	3 Recording officer's expense	4 Refunds or adjustments	5 Amount paid to treasurer (Col 1+2-3-4)	6 Interest received by treasurer	7 Treasurer's expense	8 Tax districts share (Col. 5+6-7)	9 Local tax	10 Additional tax	11 Special Assistance fund	12 Special additional tax	13 County Tax
October	\$ 881,690.65	\$ 28.28	\$ 17,915.14		\$ 863,775.51	\$ 1,209.29		\$ 864,984.80		\$ 409,772.26		\$ 296,517.72	\$ 432,559.21
November	\$ 903,137.15	\$ 32.65	\$ 17,995.69		\$ 885,141.46	\$ 1,106.43		\$ 886,247.89		\$ 421,596.69		\$ 293,665.59	\$ 442,570.75
December	\$ 945,569.96	\$ 39.46	\$ 17,750.85		\$ 927,819.11	\$ 927.82		\$ 928,746.93		\$ 456,783.71		\$ 322,500.48	\$ 463,909.57
January	\$ 986,063.40	\$ 27.40	\$ 17,508.77		\$ 968,554.63	\$ 774.84		\$ 969,329.47		\$ 474,324.14		\$ 370,514.04	\$ 484,277.33
February	\$ 896,454.88	\$ 15.62	\$ 17,610.14		\$ 878,844.74	\$ 527.31		\$ 879,372.05		\$ 404,700.59		\$ 334,224.68	\$ 455,086.93
March	\$ 1,171,587.58	\$ 14.35	\$ 17,521.65		\$ 1,154,065.93	\$ 461.63		\$ 1,154,527.56		\$ 562,256.84		\$ 442,493.42	\$ 576,932.88
April													
May													
June													
July													
August													
September													
TOTALS	\$ 5,784,503.62	\$ 157.76	\$ 106,302.24		\$ 5,678,201.38	\$ 5,007.32		\$ 5,683,208.70		\$ 2,729,434.23		\$ 2,059,915.93	\$ 2,855,336.67

AU-202


 Albany County Clerk (Exec. Dep.)

 Albany County Director of Finance

Month - Year
4-21

Taxes released by apportionments
including taxes received from other
counties as per case numbers shown.

Case No.

			Receipts			
	(a) Basic Tax	(b) Local Tax	(c) Additional Tax	(d) Transportation Authority Special Assistance Fund	(e) Special Additional Tax to SONYMA	Total
316135 - DL-7699	997.50	498.75	473.75		498.75	2,468.75
316186 - DL-8283	9,000.00	4,500.00	4,475.00		4,500.00	22,475.00
316187 - DL-9285	10,752.50	5,376.25	5,376.25		5,376.25	26,881.25
316242 - DM-0739	430.00	215.00	190.00		0.00	835.00
316243 - DM-6740	362.00	181.00	156.00		181.00	880.00
TOTAL:	21,542.00	10,771.00	10,671.00		10,556.00	53,540.00

Taxes Held for Apportionment

(List all items which you are holding, including those previously reported.)

Receipt Date	Stamp #	Mortgagor / Mortgagee	Mrtg Amount	Amount of Tax Held				Total
				Basic	Local	Additional	Special Addl	
05/18/2020	DL-0945	HAFLER ROBERT EARL JR FIRST NATIONAL BANK OF SCOTIA	199,000.00	995.00	497.50	472.50	497.50	2,462.50
05/20/2020	DL-1007	DOUGHERTY MICHAEL M&T BANK	7,262.46	36.50	18.25	0.00	18.25	73.00
06/26/2020	DL-1972	YERRY JOHN A HOMESTEAD FUNDING CORP	176,000.00	880.00	440.00	415.00	440.00	2,175.00
06/30/2020	DL-2108	MENDES MICHAEL PREMIUM MORTGAGE CORP	153,450.00	767.00	383.50	358.50	383.50	1,892.50
07/02/2020	DL-2195	FRANKIE PROPERTY SERVICES LLC AMERISTAR FINANCIAL CORPORATION	28,000.00	140.00	70.00	45.00	70.00	325.00
09/10/2020	DL-4211	PRIME SELF STORAGE OF LONG ISLAND LLC LMF COMMERCIAL	10,786,289.34	53,931.50	26,965.75	26,965.75	26,965.75	134,828.75
09/16/2020	DL-4382	DANCOUNTRY LLC BANK OF GREENE COUNTY	136,500.00	682.50	341.25	341.25	341.25	1,706.25
09/23/2020	DL-4628	LANZA JOHN A. GREEN DAVID R	75,000.00	375.00	187.50	162.50	0.00	725.00
10/01/2020	DL-4861	COLLETT FUNERAL FIRMS LLC PIONEER BANK	378,000.00	1,890.00	945.00	945.00	945.00	4,725.00
10/01/2020	DL-4896	MUSCO MARY BETH KEYBANK NATIONAL ASSOCIATION	65,295.00	326.50	163.25	138.25	163.25	791.25
12/08/2020	DL-7244	DELGADILLO-PENA LANA JPMORGAN CHASE BANK NA	136,325.00	681.50	340.75	315.75	340.75	1,678.75
12/23/2020	DL-7848	D&T PROPERTY HOLDINGS, LLC SUNMARK CREDIT UNION	364,000.00	1,820.00	910.00	885.00	0.00	3,615.00
01/29/2021	DL-9099	GRACE BAY CAPITAL LLC CHEMUNG CANAL TRUST COMPANY	105,659.58	528.50	264.25	264.25	264.25	1,321.25
01/29/2021	DL-9100	GRACE BAY CAPITAL LLC CHEMUNG CANAL TRUST COMPANY	105,000.00	525.00	262.50	262.50	262.50	1,312.50
02/12/2021	DL-9540	BERNHARD DOUGLAS E TRUSTCO BANK	10,000.00	50.00	25.00	0.00	25.00	100.00
02/12/2021	DL-9562	BROWN PROPERTY MANAGEMENT LLC FIVE STAR BANK	2,220,000.00	11,100.00	5,550.00	5,550.00	5,550.00	27,750.00
03/02/2021	DL-10073	109 REMSEN STREET, LLC COMPANY SARATOGA NATIONAL BANK AND TRUST	430,000.00	2,150.00	1,075.00	1,075.00	1,075.00	5,375.00
03/03/2021	DL-10119	DEMUTH RUSSELL	3,700.00	18.50	9.25	0.00	9.25	37.00

03/08/2021	DL-10300	ALBANY COUNTY LAND BANK CORPORATION AHMAD NOOR TRUSTCO BANK	105,000.00	525.00	262.50	237.50	262.50	1,287.50
03/22/2021	DL-10712	BLACKBURN JOHN CHEMUNG CANAL TRUST CO	130,000.00	650.00	325.00	300.00	325.00	1,600.00
03/23/2021	DL-10814	WELCH SARA ANN FOUNDATION CREF LLC	175,000.00	875.00	437.50	437.50	437.50	2,187.50
03/24/2021	DL-10866	REED DUSTIN HOMESTEAD FUNDING CORP	239,400.00	1,197.00	598.50	573.50	598.50	2,967.50
03/29/2021	DL-11018	OMALLEY MICHAEL D SEFCU	240,000.00	1,200.00	600.00	575.00	0.00	2,375.00
04/05/2021	DM-0091	BROCKLEY PATRICIA CAPITAL COMMUNICATIONS FEDERAL CREDIT UNION	50,000.00	250.00	125.00	100.00	0.00	475.00
04/16/2021	DM-0527	HILLMANN DEBORAH A BANK OF GREENE CO	120,000.00	600.00	300.00	275.00	300.00	1,475.00
04/22/2021	DM-0708	HAYESMASA SUSAN SEFCU	189,000.00	945.00	472.50	447.50	0.00	1,865.00
				<u>83,139.50</u>	<u>41,569.75</u>	<u>41,142.25</u>	<u>39,274.75</u>	<u>205,126.25</u>

Mortgage tax moneys are deposited into the following bank:

M&T

County of Albany for the period:

10/1/2020

through

3/31/2021

Cash Statement for Taxes Collected Pursuant to Article 11

DISTRIBUTION STATEMENT: Columns 1 through 5: The taxes collected shown in column 2 were produced by mortgages covering real property in the respective tax districts. Additions and deductions to make adjustments and to correct errors are recorded in columns 3 and 4 respectively. Authority for these additions and deductions is given by the orders of the Tax Department noted on the bottom of this part.

CREDIT STATEMENT: Column 6: This column is the net amount due each tax district, for which the County of Albany shall issue its warrants.

1 Tax Districts	2 Taxes Collected	3 Additions*	4 Deductions*	5 Amount of *Taxes Collected* as adjusted and corrected	6 Net Amount due each tax district
City of Albany	\$ 1,238,242.65			\$ 1,238,242.65	\$ 1,216,592.43
Town of Berne	\$ 45,527.00			\$ 45,527.00	\$ 44,730.98
Town of Bethlehem	\$ 845,146.00			\$ 845,146.00	\$ 830,368.93
Town of Coeymans	\$ 91,737.00			\$ 91,737.00	\$ 90,133.01
City of Cohoes	\$ 178,064.28			\$ 178,064.28	\$ 174,950.89
Town of Colonie	\$ 2,107,206.03			\$ 2,107,206.03	\$ 2,070,362.31
Town of Green Island	\$ 26,519.50			\$ 26,519.50	\$ 26,055.82
Town of Guilderland	\$ 739,878.51			\$ 739,878.51	\$ 726,942.01
Town of Knox	\$ 65,313.75			\$ 65,313.75	\$ 64,171.76
Town of New Scotland	\$ 248,877.64			\$ 248,877.64	\$ 244,526.11
Town of Rensselaerville	\$ 37,894.00			\$ 37,894.00	\$ 37,231.44
City of Watervliet	\$ 102,858.50			\$ 102,858.50	\$ 101,060.06
Town of Westerlo	\$ 57,081.00			\$ 57,081.00	\$ 56,082.96
Total tax districts: 13					
TOTALS:	\$ 5,784,345.86	\$ -	\$ -	\$ 5,784,345.86	\$ 5,683,208.71

*see refund, adjustment, and special adjustment orders of Commissioner of Taxation and Finance, case numbers:

Mortgage Tax Collected By Town

ALBANY COUNTY

Bruce A. Hidley - County Clerk

From: 10/1/2020 Through: 3/31/2021

MUNICIPALITY	MORTGAGE COUNT BY TOWN	WITHHELD	BASIC	LOCAL	ADDITIONAL	SPECIAL ADDITIONAL	TOTAL
ALBANY CITY	1,415	0.00	1,238,242.65	630,836.11	616,585.15	509,755.67	2,995,419.58
BERNE TOWN	65	0.00	45,527.00	22,763.50	21,292.00	15,421.25	105,003.75
BETHLEHEM TOWN	889	0.00	845,146.00	422,573.00	402,384.00	307,387.75	1,977,490.75
COEYMANS TOWN	126	0.00	91,737.00	45,868.50	43,118.50	33,698.25	214,422.25
COHOES CITY	259	0.00	178,064.28	89,596.97	83,874.75	61,877.75	413,413.75
COLONIE TOWN	2,109	0.00	2,107,206.03	1,057,885.60	1,006,591.03	720,083.40	4,891,766.06
GREEN ISLAND TOWN	40	0.00	26,519.50	13,259.75	12,426.50	8,756.25	60,962.00
GUILDERLAND TOWN	814	0.00	739,878.51	369,914.95	351,743.40	261,314.72	1,722,851.58
KNOX TOWN	79	0.00	65,313.75	32,725.75	30,966.75	17,247.75	146,254.00
NEW SCOTLAND TOWN	262	0.00	248,877.64	124,394.25	118,614.50	86,601.25	578,487.64
RENSSELAERVILLE TOWN	51	0.00	37,894.00	18,947.00	17,859.00	13,957.25	88,657.25
WATERVLIT CITY	181	0.00	102,858.50	51,429.25	48,235.75	40,596.25	243,119.75
WESTERLO TOWN	77	0.00	57,081.00	28,540.50	26,735.25	21,594.50	133,951.25
* MORTGAGE COUNT - MUNICIPALITY:	6,336	0.00	5,784,345.86	2,908,735.13	2,780,426.58	2,098,292.04	13,571,799.61
ALBANY COUNTY	1	0.00	0.00	0.00	0.00	0.00	0.00
CLINTON COUNTY	1	0.00	1,050.64	0.00	525.32	525.32	2,101.28
ESSEX COUNTY	1	0.00	220.04	110.02	106.88	0.00	436.94
MONROE COUNTY	1	0.00	9,900.92	0.00	4,950.46	4,950.46	19,801.84
ONEIDA COUNTY	1	0.00	485.40	0.00	242.70	242.70	970.80
ONONDAGA COUNTY	1	0.00	0.00	0.00	0.00	0.00	0.00
OTSEGO COUNTY	1	0.00	422.04	0.00	0.00	211.02	633.06
RENSSELAER COUNTY	3	0.00	0.00	0.00	0.00	0.00	0.00
SARATOGA COUNTY	8	0.00	20,083.14	0.00	10,027.72	10,041.59	40,152.45
SCHENECTADY COUNTY	12	0.00	618.90	1,067.83	559.46	556.86	2,803.05
SUFFOLK COUNTY	1	0.00	599.55	0.00	299.78	299.78	1,199.11
* MORTGAGE COUNT - COUNTY:	22	0.00	33,380.63	1,177.85	16,712.32	16,827.73	68,098.53
* WITHHELD/APPORTIONED COUNT:	47	-132,146.50	0.00	0.00	0.00	0.00	-132,146.50
		-132,146.50	0.00	0.00	0.00	0.00	-132,146.50

MUNICIPALITY	MORTGAGE COUNT BY TOWN	WITHHELD	BASIC	LOCAL	ADDITIONAL	SPECIAL ADDITIONAL	TOTAL
*Grand Total	6,336	-132,146.50	5,817,726.49	2,909,912.98	2,797,138.90	2,115,119.77	13,507,751.64

* The Grand total for the mortgage stamp count may not match the sum of stamps by town. This is because a stamp may exist in multiple towns and is counted for each town.