

# **County of Albany**

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



## **Meeting Agenda**

**Monday, January 9, 2023**

**6:30 PM**

**William J. Conboy II Legislative Chambers  
Albany County Courthouse**

**County Legislature**

**Call to Order**

**Roll Call**

**CURRENT BUSINESS:**

1. DESIGNATION OF NEWSPAPERS FOR PUBLICATION OF LEGAL NOTICES

**Sponsors:** A. Joyce

2. 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 2023 CALENDAR YEAR WITHOUT PRIOR AUDIT BY THE LEGISLATURE

**Sponsors:** A. Joyce

3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "O" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REGARDING THE ADOPTION OF THE CODE OF ALBANY COUNTY

**Sponsors:** A. Joyce, Feeney, Beston, Chapman, Cleary, Commisso, Domalewicz, Efekoro, R. Joyce, Kuhn, Lekakis, Mayo, McLaughlin, McLean Lane, Miller, Plotsky, Reinhardt, Reidy, Ward and Willingham

4. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "L" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY CREATING THE ALBANY COUNTY NATURE AND HISTORIC PRESERVE SYSTEM

**Sponsors:** Reinhardt, Perlee, A. Joyce, Feeney, Efekoro, Lekakis, Plotsky, Commisso, Simpson, Burgdorf, Lockart and Grimm

5. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "A" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS

**Sponsors:** Reidy

**LOCAL LAWS:**

LOCAL LAW NO. "Q" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER FOR THE PURPOSE OF ESTABLISHING LEGISLATIVE DISTRICTS BASED ON THE 2020 CENSUS

**Sponsors:** A. Joyce

LOCAL LAW NO. "A" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS

**Sponsors:** Reidy

**Adjournment**

**RESOLUTION NO. 1**

**DESIGNATION OF NEWSPAPERS FOR PUBLICATION OF LEGAL NOTICES**

Introduced: 1/9/23  
By Mr. A. Joyce:

WHEREAS, By virtue of the provisions of County Law §214, the Albany County Legislature is responsible to designate official newspapers for the publication of legal notices, now, therefore be it

RESOLVED, By the Albany County Legislature, pursuant to the provisions of County Law §214, that THE EVANGELIST and THE TIMES UNION are hereby designated as the official newspapers during the year 2023 for the publication of local laws, notices and other matters required by law to be published, at fees to be paid at a rate no greater than those authorized by Public Officers Law §70-a, 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. 2

### **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 2023 CALENDAR YEAR WITHOUT PRIOR AUDIT BY THE LEGISLATURE**

Introduced: 1/9/23

By Mr. A. Joyce:

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 2023 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 2023 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 2023, 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 January 1, 2023 through 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. 3**

#### **PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “O” FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REGARDING THE ADOPTION OF THE CODE OF ALBANY COUNTY**

Introduced: 1/9/23

By Messrs. A. Joyce, Feeney, Beston, Ms. Chapman, Messrs. Cleary, Commisso, Domalewicz, Efekoro, R. Joyce, Kuhn, Ms. Lekakis, Mr. Mayo, Mss. McLaughlin, McLean Lane, Mr. Miller, Ms. Plotsky, Messrs. Reinhardt, Reidy, Ward and Ms. Willingham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “O” for 2022, “A Local Law of the County of Albany Regarding the Adoption of the Code of Albany County” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, January 24, 2023, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

**RESOLUTION NO. 4**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "L" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY CREATING THE ALBANY COUNTY NATURE AND HISTORIC PRESERVE SYSTEM**

Introduced: 1/9/23

By Messrs. Reinhardt, Perlee, A. Joyce, Feeney, Efekoro, Mss. Lekakis, Plotsky, Messrs. Commisso, Simpson, Burgdorf, Ms. Lockart and Mr. Grimm:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "L" for 2022, "A LOCAL LAW OF THE COUNTY OF ALBANY CREATING THE ALBANY COUNTY NATURE AND HISTORIC PRESERVE SYSTEM" to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, January 24, 2023, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.



**RESOLUTION NO. 5**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "A" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS**

Introduced: 1/9/23

By Mr. Reidy:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "A" for 2023, "A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS" to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, January 24, 2023, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

## LOCAL LAW “Q” FOR 2022

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER FOR THE PURPOSE OF ESTABLISHING LEGISLATIVE DISTRICTS BASED ON THE 2020 CENSUS

Introduced: 12/19/22

By: Mr. A. Joyce:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY, THAT LOCAL LAW NO. 5 FOR 2015, IS HEREBY AMENDED TO READ AS FOLLOWS:

#### SECTION 1.

Section 206 of Local Law No. 5 for 2015 is hereby amended to read as follows:  
Section 206 Districts.

For the purpose of electing County legislators, Albany County shall be divided into thirty-nine districts. One County legislator shall be elected to the County legislature of Albany County from each of said districts.

The thirty-nine districts within the County of Albany are as follows: (See Appendix "A" and descriptions in Appendix "B" - note Appendix "A" prevails in the event of inconsistencies between the Appendices).

The maps of the enumerated districts referred to above, as well as maps showing the districts into which Albany County is herein divided, shall be filed with the Clerk of the Albany County Legislature and shall remain on file and said maps shall be considered and hereby are made a part of this Charter.

#### SECTION 2.

This amendment of Local Law No. 5 for 2015, shall be effective for the election of County legislators for terms commencing January 1, 2024, and thereafter and for all processes incidental thereto.

In the sections of Appendix “B” which describe the thirty-nine Legislative Districts proposed for Albany County, the following shall apply: The use of the terms County of Albany, County of Greene, County of Rensselaer, County of Saratoga, County of Schenectady, City of Albany, City of Cohoes, City of Watervliet, Village of Altamont, Village of Colonie, Village of Green Island, Village of Menands, Village of Ravena, Village of Voorheesville, Town of Berne, Town of Bethlehem, Town of Coeymans,

Town of Colonie, Town of Green Island, Town of Guilderland, Town of Knox, Town of New Scotland, Town of Rensselaerville and/or Town of Westerlo shall be construed to mean such as they were legally constituted as of the date of adoption of this local law.

The use of terms which describe compass directions and traverses along boundaries shall be construed to reflect physical and geopolitical features as depicted by the United States Bureau of Census.

Excepting conditions described in the following two sentences, references to Legislative boundary segments which follow mapped features such as streets, roads, roadbeds, railroads, rail bed, tracks, bridges, streams, kills, creeks, or geopolitical bounds or boundaries, including the image extensions of such features, shall be construed to mean a line segment drawn along the center line of such feature. The exception to the center line follow shall occur in those incidences where such Legislative boundary is described as following a geopolitical boundary which appears to follow a physical feature (real or extended) but which may be legally described as 'being offset from such center line.' In such a circumstance the Legislative District boundary shall be construed as following the actual path of the geopolitical boundary referenced.

Any of the terms Bypass, Expressway, Highway, Hiway, Hwy, Route, Rte. and/or Thruway may be substituted one for the other where such substitution would more accurately reflect the feature being described. The terms Penn Central Railroad and PCRR shall be construed to include the Penn Central Railroad Corporation, now or formerly, and its successors. The terms Delaware and Hudson Railroad and D&H shall be construed to include the Penn Central Railroad Corporation, now or formerly, and its successors. The term CSX RR shall be construed to include the CSX Corporation, now or formerly, and its successors.

APPENDIX "A" – Census Blocks

APPENDIX "B" – Metes and Bounds

*Local Law was tabled by the Chairman – 12/19/22*

**LOCAL LAW NO. "A" FOR 2023**

**A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS**

Introduced: 1/9/23

By Mr. Reidy:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

**Section 1. Title**

This Local Law shall be known as “Exemption for LEED Certification.”

**Section 2. Legislative Intent**

It is the intent of this Local Law to provide an exemption from county real property taxes for newly constructed or the renovated portion of buildings that achieve LEED certification.

The County of Albany continues its dedication and commitment to enacting policies and legislation which support increased sustainability and energy conservation.

This Legislature hereby finds and determines that incentivizing the construction of new buildings and the renovation of existing buildings according to LEED standards is a continuation of that commitment and dedication to sustainability and energy conservation.

**Section 3. Purpose**

The purpose of this Local Law is to encourage and incentivize the new construction and renovation of buildings that meet LEED standards in order to promote sustainability and energy conservation throughout the County of Albany.

**Section 4. Exemption from Taxation**

An exemption shall be granted from County tax purposes based upon the scale below for projects that achieve LEED certification according to the standards in effect

at the time of completion of construction or renovation. Additionally, the maximum (taxable) value to be abated shall be capped at \$1,000,000.

**PERCENTAGE OF EXEMPTION**

<b>Year of Exemption</b>	<b>Certified/Silver</b>	<b>Gold</b>	<b>Platinum</b>
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence paragraph, section or chapter thereof directly involved in the proceeding in which adjudication shall have been rendered. This Local Law shall not supersede any applicable state or federal laws or regulations with regard to the subject matters set forth herein.

**Section 5. Effective Date and Applicability**

This Local Law shall be effective ninety (90) days subsequent to filing in the Office of the Secretary of State and shall apply to all new construction and renovations occurring on or after the effective date of this law.