

County of Albany

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



Meeting Agenda

Wednesday, April 26, 2023

6:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Law Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "P" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES
3. LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES
4. LOCAL LAW NO. "P" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES
5. A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO REAL PROPERTY TAX LAW § 466-A

CURRENT BUSINESS:

6. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY SENIOR CITIZENS TAX EXEMPTION LAW
7. ESTABLISHING THE USA-250 COMMISSION FOR THE CELEBRATION OF THE 250TH YEAR FOLLOWING THE AMERICAN REVOLUTION AND INDEPENDENCE OF THE UNITED STATES
8. ESTABLISHING A VOTER RIGHTS DISCLOSURE POLICY FOR ALL POLLING PLACES MANAGED BY THE ALBANY COUNTY BOARD OF ELECTIONS
9. ESTABLISHING THE ALBANY COUNTY SAFECAM PROGRAM
10. A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY SENIOR CITIZENS TAX EXEMPTION LAW

11. AMENDING THE 2023 PUBLIC DEFENDER'S OFFICE BUDGET: DISTRIBUTION GRANTS
12. AUTHORIZING AN AGREEMENT WITH ALBANY HIGH SCHOOL REGARDING A WORK-BASED LEARNING PROGRAM FOR STUDENTS
13. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2023 ALBANY COUNTY BUDGET

County of Albany

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



Meeting Minutes

Wednesday, March 29, 2023

6:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Law Committee

PREVIOUS BUSINESS:

Present: Chairperson Victoria Plotsky, Vice Chair Joanne Cunningham, Paul J. Burgdorf, Dennis A. Feeney, Jeffrey D. Kuhn, David B. Mayo, Matthew T. Peter, Bill L. Ricard and Jennifer A. Whalen

1. APPROVING PREVIOUS MEETING MINUTES

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

2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "P" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES

This proposal was tabled at the request of the Sponsor.

3. LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES

This Local Law was tabled at the request of the Sponsor.

4. LOCAL LAW NO. "J" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING THAT ALL UNATTENDED WEAPONS IN THE HOME BE LOCKED OR KEPT SECURELY

This Local Law was withdrawn at the request of the Sponsor.

5. LOCAL LAW NO. "P" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES

This Local Law was tabled at the request of the Sponsor.

CURRENT BUSINESS:**6. REQUESTING THAT THE NEW YORK STATE LIQUOR AUTHORITY CHANGE THE HOURS OF SALE OF WINE AND LIQUOR IN ALBANY COUNTY**

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

7. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO REAL PROPERTY TAX LAW § 466-A

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

8. A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO REAL PROPERTY TAX LAW § 466-A

This Local Law was tabled at the request of the Sponsor.

LOCAL LAW “P” FOR 2022

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES

Introduced: 11/14/22

By Mr. Efekoro:

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

Section 1. Title.

This Local Law shall be known as the "Albany County Employees Teleworking Law".

Section 2. Purpose.

The Albany County Legislature has a long history of supporting our County workforce, and it will continue to do so while adjusting to the changing nature of work. This Local Law provides teleworking options for County employees and has numerous benefits for both the County and its employees. First, allowing employees to telework reduces greenhouse gases by both reducing the number of cars on the road and allows opportunities for the County to substantially reduce its carbon footprint. Second, it promotes work/life balance for County employees, allowing more time for leisure activities or the ability to stay at home with family. These benefits will positively affect not just the County workforce, but their families, communities, and the environment as well.

Section 3. Teleworking Programs.

The Albany County Department of Human Resources shall establish written policies which allow Albany County employees, where reasonable and not detrimental to work performance, to perform all or a portion of their duties through remote teleworking, with periodic evaluations and reconsideration. Each County agency shall designate a telework coordinator responsible for overseeing the implementation of its teleworking program.

Section 4. Definitions.

Whenever used in this Local Law, the following terms shall have the following meanings:

(a) "Telework" shall mean the performance of regular work functions at a remote location rather than at the county agency's principal office location; and

(b) "County Agency" shall mean any Albany County department, division, public authority, public benefit corporation, office, or other governmental entity which performs a governmental or proprietary function for the county.

(c) "Telework coordinator" shall mean the person designated for each County agency who is responsible for overseeing that agencies' teleworking program.

Section 5. Eligibility; Decisions on Applications.

- (1) Employees may request to telework by completing a teleworking application provided by the telework coordinator.
- (2) Eligibility for teleworking shall be determined by the Human Resources Department in conjunction with the County agency's telework coordinator, following an assessment of the regular work duties required by each title or title category, with such employee input as may be necessary. These determinations shall be applied similarly across the employees within each title or category in each Department.
- (3) Decisions on teleworking applications shall be made within 30 business days from the date the application is received and must be written and include an approval, approval in part, denial, or denial in part.
- (4) If an application for telework is denied in full or in part, reasons for the denial must be listed in the denial document.
- (5) Prior to starting remote work pursuant to a teleworking program, all employee performance standards for each title or title category shall be reduced to writing.

Section 6. Supersession.

Nothing in this Local Law shall supersede existing laws, regulations, or personnel policies applicable to employees with injuries, illnesses, environmental health conditions, or disabilities, or with the reasonable application of employee-earned leave time including, but not limited to, sick, compensatory, paid or unpaid family leave, Federal or State guaranteed leave time, or vacation time.

This Local Law shall not supersede any existing telework policies and/or programs which resulted from any collective bargaining agreement with Albany County.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation 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 of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 8. Effective Date.

This local law shall take effect 90 days after its filing with the Secretary of State.

Referred to Law and Personnel Committees – 11/14/22

RESOLUTION NO. 478

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “P” FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES

Introduced: 11/14/22

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “P” for 2022, “A Local Law of the County of Albany, New York Regarding A Teleworking Program for Employees” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, November 22, 2022, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Personnel Committees – 11/14/22

LOCAL LAW “B” FOR 2022

A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES

Introduced: 3/14/22

By Ms. McLean Lane:

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

SECTION 1. Legislative Intent

The purpose of this Local Law is to exempt Albany County from the payment of wireless communication surcharges on County owned or leased wireless telephones.

SECTION 2. Amendment

Section 2, of Local Law No. 6 for 2017, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REPEALING THE WIRELESS COMMUNICATION SURCHARGE AUTHORIZED BY ARTICLE 6 OF THE COUNTY LAW OF THE STATE OF NEW YORK SET FORTH IN ALBANY COUNTY LOCAL LAW 9 FOR 2009 AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-g,” is amended by the addition of a new subdivision (d) as follows:

(d) Limitations. No wireless communication surcharge set forth in this Local Law shall be imposed upon any wireless telephone owned or leased by Albany County.

SECTION 3. 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 adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 4. Effective Date

This law shall take effect immediately upon its filing with the Secretary of State.

Referred to Law and Public Safety Committees – 3/14/22

LOCAL LAW “P” FOR 2022

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES

Introduced: 11/14/22

By Mr. Efekoro:

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

Section 1. Title.

This Local Law shall be known as the "Albany County Employees Teleworking Law".

Section 2. Purpose.

The Albany County Legislature has a long history of supporting our County workforce, and it will continue to do so while adjusting to the changing nature of work. This Local Law provides teleworking options for County employees and has numerous benefits for both the County and its employees. First, allowing employees to telework reduces greenhouse gases by both reducing the number of cars on the road and allows opportunities for the County to substantially reduce its carbon footprint. Second, it promotes work/life balance for County employees, allowing more time for leisure activities or the ability to stay at home with family. These benefits will positively affect not just the County workforce, but their families, communities, and the environment as well.

Section 3. Teleworking Programs.

The Albany County Department of Human Resources shall establish written policies which allow Albany County employees, where reasonable and not detrimental to work performance, to perform all or a portion of their duties through remote teleworking, with periodic evaluations and reconsideration. Each County agency shall designate a telework coordinator responsible for overseeing the implementation of its teleworking program.

Section 4. Definitions.

Whenever used in this Local Law, the following terms shall have the following meanings:

(a) "Telework" shall mean the performance of regular work functions at a remote location rather than at the county agency's principal office location; and

(b) "County Agency" shall mean any Albany County department, division, public authority, public benefit corporation, office, or other governmental entity which performs a governmental or proprietary function for the county.

(c) "Telework coordinator" shall mean the person designated for each County agency who is responsible for overseeing that agencies' teleworking program.

Section 5. Eligibility; Decisions on Applications.

- (1) Employees may request to telework by completing a teleworking application provided by the telework coordinator.
- (2) Eligibility for teleworking shall be determined by the Human Resources Department in conjunction with the County agency's telework coordinator, following an assessment of the regular work duties required by each title or title category, with such employee input as may be necessary. These determinations shall be applied similarly across the employees within each title or category in each Department.
- (3) Decisions on teleworking applications shall be made within 30 business days from the date the application is received and must be written and include an approval, approval in part, denial, or denial in part.
- (4) If an application for telework is denied in full or in part, reasons for the denial must be listed in the denial document.
- (5) Prior to starting remote work pursuant to a teleworking program, all employee performance standards for each title or title category shall be reduced to writing.

Section 6. Supersession.

Nothing in this Local Law shall supersede existing laws, regulations, or personnel policies applicable to employees with injuries, illnesses, environmental health conditions, or disabilities, or with the reasonable application of employee-earned leave time including, but not limited to, sick, compensatory, paid or unpaid family leave, Federal or State guaranteed leave time, or vacation time.

This Local Law shall not supersede any existing telework policies and/or programs which resulted from any collective bargaining agreement with Albany County.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation 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 of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 8. Effective Date.

This local law shall take effect 90 days after its filing with the Secretary of State.

Referred to Law and Personnel Committees – 11/14/22

LOCAL LAW NO. "C" FOR 2023

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY SENIOR CITIZENS TAX EXEMPTION LAW

Introduced: 4/10/23

By McLaughlin, A. Joyce and Ward:

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION 1. Local Law No. 2 for 1975 as amended by Local Law No. 5 for 1977, Local Law No. 1 for 1979, Local Law No. 5 for 1980, Local Law No. 1 for 1987, Local Law No. 1 for 1990, Local Law No. 1 for 1992, Local Law No. 4 for 1993, Local Law No. 4 for 1994, Local Law No. 7 for 1995, Local Law No. 8 for 1996, Local Law No. 3 for 1997, Local Law No. 10 for 1998, Local Law No. 3 for 2000, Local Law No. 4 for 2002, Local Law No. 7 for 2003, and Local Law No. 10 for 2006 shall be amended to read as follows:

SECTION 2. Beginning July 1, 2023, Persons sixty-five years of age or over.

Pursuant to §467 of the Real Property Tax Law of the State of New York, there shall be an exemption from taxation for general county purposes on real property owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by spouses or by siblings, one (1) of whom is sixty-five (65) years of age or over, to the extent of the percentage of assessed valuation provided in the following schedule, determined by the maximum income eligibility level also provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION</u>
\$50,000 or less	50
More than \$50,000 but less than \$51,000	45
\$51,000 or more but less than \$52,000	40
\$52,000 or more but less than \$53,000	35
\$53,000 or more but less than \$53,900	30
\$53,900 or more but less than \$54,800	25
\$54,800 or more but less than \$55,700	20
\$55,700 or more but less than \$56,600	15
\$56,600 or more but less than \$57,500	10
\$57,500 or more but less than \$58,400	5

SECTION 3. Computation of exemption.

Any exemption provided by this local law shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption, have been submitted from the total amount assessed.

SECTION 4. Cooperative Apartment ownership.

- A) Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by their share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.
- B) That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this section and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

SECTION 5. No exemption shall be granted:

- A) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the maximum sum authorized by the provisions of Section 467 of the Real Property Tax Law. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either spouse, their combined income may not exceed such sum, except where a spouse, or ex-spouse is absent from the property as provided in subparagraph (ii) of paragraph (d) of subdivision 3 of §467 of the Real Property Tax Law of the State of New York, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from

self-employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286 or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law, ordinance or resolution providing therefor. In addition, an exchange of an annuity for an annuity contract, which resulted in non-taxable gain, as determined in section one thousand thirty-five of the internal revenue code, shall be excluded from such income. Provided that such exclusion shall be based on satisfactory proof that such an exchange was solely an exchange of an annuity for an annuity contract that resulted in a non-taxable transfer determined by such section of the internal revenue code. Furthermore, such income shall not include the proceeds of a reverse mortgage, as authorized by section six-h of the banking law, and sections two hundred eighty and two hundred eighty-a of the real property law; provided, however, that monies used to repay a reverse mortgage may not be deducted from income, and provided additionally that any interest or dividends realized from the investment of reverse mortgage proceeds shall be considered income. The provisions of this paragraph notwithstanding, such income shall not include veterans disability compensation, as defined in Title 38 of the United States Code provided the governing board of such municipality, after public hearing, adopts a local law, ordinance or resolution providing therefor. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

- B) Unless the owner shall have held an exemption under this section for their previous residence or unless the title of the property shall have been vested in the owner or one (1) of the owners of the property for at least twelve (12) consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a spouse in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased spouse, the time of ownership of the property by the deceased spouse shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months. In the event of a transfer by one spouse to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months. Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent

domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one (1) year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption. Where the owner or owners transfer title to property which as of the date of transfer was exempt from taxation under the provisions of this section, the reacquisition of title by such owner or owners within nine (9) months of the date of transfer shall be deemed to satisfy the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve (12) consecutive months. Where, upon or subsequent to the death of an owner or owners, title to property which as of the date of such death was exempt from taxation under such provisions, becomes vested, by virtue of devise or descent from the deceased owner or owners, or by transfer by any other means within nine months after such death, solely in a person or persons who, at the time of such death, maintained such property as a primary residence, the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve (12) consecutive months shall be deemed satisfied.

- C) Unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this local law.
- D) Unless the real property is the legal residence and is occupied, in whole or in part, by the owner or by all of the owners of the property; except where, (i) an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section 2801 of the Public Health Law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility and provided further, that during such confinement such property is not occupied by other than the spouse or co-owner of such owner; or (ii) the real property is owned by a spouse and/or spouses, or an ex-spouse, and either is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this local law are not provided that where an exemption was previously granted when both resided on the property, then the person remaining on the real property shall be sixty-two years of age or over.

SECTION 6. Application for such exemption must be made by the owner, or all of the owners of the property, on forms prescribed by the commissioner to be furnished by the appropriate local assessing unit, and shall furnish the information and be executed in the manner required or prescribed on such forms, and shall be filed in such Assessor's Office on or before the appropriate taxable status date. Notwithstanding any other provision of law, any person otherwise qualifying under this section shall not be denied the exemption under this section if he becomes sixty-five (65) years after the appropriate taxable status date and on or before December 31, of the same year.

SECTION 7. At least sixty (60) days prior to the appropriate taxable status date, the appropriate local assessing unit shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. The appropriate local assessing unit shall, within three (3) days of the completion and filing of the tentative assessment roll, notify by mail any applicant who has included with their application at least one (1) self-addressed, prepaid envelope, of the approval or denial of the application; provided, however, that the appropriate local assessing unit shall, upon receipt and filing of the application, send by mail notification of receipt to any applicant who has included two (2) of such envelopes with the application. Where an applicant is entitled to a notice of denial pursuant to this subsection, such notice shall be on a form prescribed by the State Board and shall state the reasons for such denial and shall further state that the applicant may have such determination reviewed in the manner provided by law. Failure to mail any such application form or notices or failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

The appropriate local assessing units shall accept applications for the renewal of exemptions pursuant to this section after the taxable status date. In the event that the owner or all of the owners of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints.

SECTION 8. Penalty for false statement; collection or erroneous exemption; payment of fines.

- A) Any conviction of having made any willful false statement in the application for such exemption, shall be punishable by a fine of not more than one hundred dollars (\$100) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

- B) Notwithstanding any inconsistent provisions of the New York State Real Property Tax Law, the collection of any amount of tax erroneously exempted due to an incorrect statement in an application for exemption shall be enforceable in the same manner provided for the collection of delinquent taxes pursuant to the provisions of Article 11 of the New York State Real Property Tax Law.

- C) Any fine levied pursuant to Section 8 (A) of this subsection shall be paid to the appropriate assessing authority.

SECTION 9. The real property tax exemption on real property owned by spouses, one of whom is sixty-five (65) years of age or over, once granted, shall not be rescinded by the County of Albany solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two (62) years of age.

SECTION 10. This law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after January 1, 2014.

RESOLUTION NO. 149

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2023: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY SENIOR CITIZENS TAX EXEMPTION LAW

Introduced: 4/10/23

By McLaughlin:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "C" for 2023, "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY SENIOR CITIZENS TAX EXEMPTION LAW" to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, May 30, 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. 150

ESTABLISHING THE USA-250 COMMISSION FOR THE CELEBRATION OF THE 250TH YEAR FOLLOWING THE AMERICAN REVOLUTION AND INDEPENDENCE OF THE UNITED STATES

Introduced:

By: Mr. Perlee

WHEREAS, In 2016, the “United States Semiquincentennial Commission Act” was passed by Congress and signed into Law, beginning Federal efforts to celebrate the 250th Anniversary of the establishment of our Nation, and

WHEREAS, In 2021, the New York State Legislature passed the “New York State 250th Commemoration Act”, which was signed into law on December 22nd, 2021, and

WHEREAS, The New York State 250th Commemoration act established a Statewide commission to plan, develop, coordinate, and promote activities relating to the 250th Anniversary of the American Revolution and resulting establishment of our Nation, and

WHEREAS, The Albany County Legislature recognizes the importance of this commemorative effort in building close ties of shared community and kinship, and views such efforts as necessary across our State and County, and

WHEREAS, At the beginning of the Seven Years’ War in June and July 1754, representatives from seven British colonies met in Albany to discuss various threats and issues shared by the colonies, during which time Benjamin Franklin proposed the Albany Plan of Union, a plan to unite the British colonies under a single representative colonial government, and while the plan failed, it was an important precursor to the later unification of the thirteen colonies as the United States, and

WHEREAS, Albany County was the focal point of many important parts of the American War of Independence, and was critically the intended end point for British forces in the decisive Saratoga Campaign which turned the tide of the conflict, and

WHEREAS, Many important leaders, political thinkers, and other individuals that took part in the American Revolution originated in or resided in what currently constitutes Albany County such as the Schuyler family, Peter Gansevoort, Abraham Ten Broeck, and many other prominent individuals, and

WHEREAS, Albany County was the scene of bitter conflict between Loyalist and Patriot militias, culminating in the Battle of the Normanskill in 1777, in which local militia and Continental Army troops, including Black troops from the 1st Rhode Island Regiment,

prevented the Loyalist militias from providing aid to General Burgoyne ahead of the decisive Battle of Saratoga, and

WHEREAS, Given Albany County's critical role and relevance in the events which lead to the establishment of the United States, it is incumbent upon the County to follow the example of both the Federal Government and State of New York and establish an organized effort to commemorate the 250th Anniversary of the American Revolution and to celebrate this milestone for our Nation, now, therefore be it

RESOLVED, By the Albany County Legislature that the USA-250 Commission is hereby established in Albany County for the purposes of celebrating the 250th anniversary of the American Revolution, and, be it further

RESOLVED, That the USA-250 Commission be comprised of eight members, one of which shall be appointed by the Chair of the Albany County Legislature, one of which shall be appointed by the Majority Leader of the Albany County Legislature, and one of which shall be appointed by the Minority Leader of the Albany County Legislature, and the initial three legislative appointments shall be responsible for identifying and recommending to the Chair of the Legislature five historical societies or American Revolutionary history-related organizations in Albany County to appoint one member to the Commission each following the acceptance of said recommendations by the Chair of the Legislature, with all such members serving for the duration of the Commission's existence; provided, however, that if the three legislative appointments determine a specific individual not associated with a relevant historical society or organization to be especially qualified, such individual may be appointed to the Commission on the unanimous recommendation of the three legislative appointments, and, be it further

RESOLVED, That the Chairperson of the USA-250 Commission be elected by a majority of its members upon all seats of the Commission having been filled, and, be it further

RESOLVED, That the USA-250 Commission is authorized to take any and all actions necessary to promote the 250th Anniversary of the American Revolution in Albany County subject to available funding, and, be it further

RESOLVED, That the USA-250 Commission shall act as an organizing resource for the various cities, towns, and villages throughout Albany County as they plan related commemoration events, and

RESOLVED, That the USA-250 Commission shall terminate on September 4th, 2033.

New York State Voter's Bill of Rights

As a registered voter, you have the right to:

Vote: The right to vote includes voting for candidates and questions on the ballot and having sufficient time to vote.

Have Your Votes Count: Vote on a voting system that is in working condition and that will allow votes to be accurately cast.

Secrecy in Voting: Secrecy in voting will be preserved for all elections.

Freedom in Voting: Cast your vote, free from coercion or intimidation by elections officers or any other person.

Permanent Registration: Once registered to vote, you continue to remain qualified to vote from an address within your county or city.

Accessible Elections: Non-discriminatory equal access to the election system for all voters, including the elderly, disabled, alternative language minorities, military and overseas citizens, as required by Federal and State laws.

Assistance in Voting: You may request assistance to vote because of blindness, disability, or inability to read or write.

Instruction in Voting: You can view a sample ballot in this polling place prior to voting, and before entering or approaching a privacy booth, scanner or ballot marking device, you may request help in how to mark and/or cast your ballot.

Affidavit Voting: Whenever your name does not appear in the poll ledger or the voter registration or enrollment list, or you do not provide identification when required, you will be offered an affidavit ballot.

For more information related to your voting status, please visit the following website: www.albanycounty.com/voting

Or scan the QR Code:



Albany County Board of Elections: 518-487-5060
260 South Pearl Street, Albany, New York 12202

Website would include the following: (Which is copy and pasted from the State Board website).

How do I register to vote?

You may register at your [local board of elections](#) or any state agency participating in the [National Voter Registration Act](#), on any business day throughout the year. Alternatively, you can download a .pdf version of the [Voter Registration Form](#) from our website, and mail it to your [county board of elections](#). You may also submit your voter application form at the Department of Motor Vehicles, either in person or on their web site if you already have DMV-issued identification.

How do I change my name and address?

Complete the Voter Registration Form with the new information, and mail it to your county board of elections. If you are moving to a new county you will have to re-register to vote. Send your voter registration form with the new information to your new county board of elections. You can obtain a Voter Registration Form from your [local board of elections](#) or any state agency participating in the [National Voter Registration Act](#), on any business day throughout the year. Alternatively, you can [download a .pdf version of the Voter Registration Form](#) from our website.

How do I change my enrollment?

The voter registration form should be used to change your party enrollment from one party to another or to enroll for the first time in a party. A change of enrollment received up until February 14th each year will be effective immediately. Changes received on or after February 15th until seven days after the June Primary will be set aside and opened the seventh day following the June Primary and entered in the voter's registration record. Please see [Deadlines](#) referenced above.

I am a victim of domestic violence, how can I protect myself when I register to vote? What about voting at my poll site?

N.Y. Election Law (5-508) allows victims of domestic violence to apply for a confidential registration by delivering a sworn statement to their local county Board of Elections stating they are a victim of domestic violence and they wish to have their voter registration record kept confidential because of the threat of physical or emotional harm to themselves or a family or household member. Their voter registration record will be kept separate and apart from other registration records for four years and not be made available for inspection or copying by the public or any other person, except election officials acting within the course and scope of their official duties. Under a separate section of the law (11-306), they can also be excused from going to their polling place to vote and get a special ballot. For further information, please contact your local board of elections for their confidential registration and special ballot procedures.

If you wish to file a complaint or inquire about enforcement action you may contact the Enforcement Counsel at:

*Division of Election Law Enforcement
NYS Board of Elections
40 North Pearl Street
Albany, NY 12207
518-486-7858
enforcement@elections.ny.gov.*

Where do I go to vote?

[Look up your voter registration and find your polling place](#) [↗] or contact your [county board of elections](#).

When is the next election?

The following elections will occur this year:

Local Primary Election - June 27, 2023

The Early Voting period for Local June 27th Primary will be June 17, 2023 – June 25, 2023.

General Election - November 7, 2023

The Early Voting period for the November General Election will be October 28, 2023 - November 5, 2023.

For more information regarding filing or registration dates or deadlines refer to the [Political Calendar](#).

What hours are polling places open?

Primary Elections

POLLS OPEN AT 6 AM - CLOSE AT 9 PM

General Election

POLLS OPEN AT 6 AM - CLOSE AT 9 PM

RESOLUTION NO. 152

ESTABLISHING A VOTER RIGHTS DISCLOSURE POLICY FOR ALL POLLING PLACES MANAGED BY THE ALBANY COUNTY BOARD OF ELECTIONS

Introduced: 4/10/23

By Peter, Reidy, Lekakis, A. Joyce, Feeney, McLaughlin, Cleary, Kuhn and Miller:

WHEREAS, In 2022 the New York State Legislature passed the most expansive state level voting rights act in the country, which expands access to voting by prohibiting voter dilution, suppression, intimidation, deception or obstruction, and

WHEREAS, These rights, along with those guaranteed by the Constitutions of the United States and the State of New York should be provided to voters at the place they cast their ballots, and

WHEREAS, The Albany County Board of Elections conducts the elections for all Federal, State, and County offices, and assists almost all local elections, which allows them to provide information to voters at the polling place, and

WHEREAS, The Albany County Board of Elections has agreed to assist in providing access to the New York State Voting Bill of Rights and Answers to Frequently Asked Questions (FAQ) related to voting at each polling site they manage, now, therefore be it

RESOLVED, That the Albany County Board of Elections is hereby authorized and encouraged to apply for prior approval from the New York State Board of Elections for such language in accordance with New York Election Law 8-104 (1-a), and, be it further

RESOLVED, upon receiving approval from the State Board of Elections, the election inspectors shall cause a copy of the approved Appendix A to be posted conspicuously within each polling place in the County of Albany that is managed by the Albany County Board of Elections, and, be it further

RESOLVED, That the 2023 Albany County Budget is amended to pay for the production of such fliers as follows:

Decrease Appropriation Account A1990.4 by \$5,000 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense \$5,000

Increase Appropriation Account A1450.4 by \$5,000 by increasing Line Item A1450 4 4046 Fees For Services by \$10,000

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. "C" FOR 2023

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING
LOCAL LAW NO. 2 FOR 1975, AS AMENDED, THE ALBANY COUNTY
SENIOR CITIZENS TAX EXEMPTION LAW**

Introduced: 4/10/23

By McLaughlin, A. Joyce and Ward:

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION 1. Local Law No. 2 for 1975 as amended by Local Law No. 5 for 1977, Local Law No. 1 for 1979, Local Law No. 5 for 1980, Local Law No. 1 for 1987, Local Law No. 1 for 1990, Local Law No. 1 for 1992, Local Law No. 4 for 1993, Local Law No. 4 for 1994, Local Law No. 7 for 1995, Local Law No. 8 for 1996, Local Law No. 3 for 1997, Local Law No. 10 for 1998, Local Law No. 3 for 2000, Local Law No. 4 for 2002, Local Law No. 7 for 2003, and Local Law No. 10 for 2006 shall be amended to read as follows:

SECTION 2. Beginning July 1, 2023, Persons sixty-five years of age or over.

Pursuant to §467 of the Real Property Tax Law of the State of New York, there shall be an exemption from taxation for general county purposes on real property owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by spouses or by siblings, one (1) of whom is sixty-five (65) years of age or over, to the extent of the percentage of assessed valuation provided in the following schedule, determined by the maximum income eligibility level also provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION</u>
\$50,000 or less	50
More than \$50,000 but less than \$51,000	45
\$51,000 or more but less than \$52,000	40
\$52,000 or more but less than \$53,000	35
\$53,000 or more but less than \$53,900	30
\$53,900 or more but less than \$54,800	25
\$54,800 or more but less than \$55,700	20
\$55,700 or more but less than \$56,600	15
\$56,600 or more but less than \$57,500	10
\$57,500 or more but less than \$58,400	5

SECTION 3. Computation of exemption.

Any exemption provided by this local law shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption, have been submitted from the total amount assessed.

SECTION 4. Cooperative Apartment ownership.

- A) Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by their share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.
- B) That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this section and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

SECTION 5. No exemption shall be granted:

- A) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the maximum sum authorized by the provisions of Section 467 of the Real Property Tax Law. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either spouse, their combined income may not exceed such sum, except where a spouse, or ex-spouse is absent from the property as provided in subparagraph (ii) of paragraph (d) of subdivision 3 of §467 of the Real Property Tax Law of the State of New York, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from

self-employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286 or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law, ordinance or resolution providing therefor. In addition, an exchange of an annuity for an annuity contract, which resulted in non-taxable gain, as determined in section one thousand thirty-five of the internal revenue code, shall be excluded from such income. Provided that such exclusion shall be based on satisfactory proof that such an exchange was solely an exchange of an annuity for an annuity contract that resulted in a non-taxable transfer determined by such section of the internal revenue code. Furthermore, such income shall not include the proceeds of a reverse mortgage, as authorized by section six-h of the banking law, and sections two hundred eighty and two hundred eighty-a of the real property law; provided, however, that monies used to repay a reverse mortgage may not be deducted from income, and provided additionally that any interest or dividends realized from the investment of reverse mortgage proceeds shall be considered income. The provisions of this paragraph notwithstanding, such income shall not include veterans disability compensation, as defined in Title 38 of the United States Code provided the governing board of such municipality, after public hearing, adopts a local law, ordinance or resolution providing therefor. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

- B) Unless the owner shall have held an exemption under this section for their previous residence or unless the title of the property shall have been vested in the owner or one (1) of the owners of the property for at least twelve (12) consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a spouse in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased spouse, the time of ownership of the property by the deceased spouse shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months. In the event of a transfer by one spouse to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve (12) consecutive months. Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent

domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one (1) year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption. Where the owner or owners transfer title to property which as of the date of transfer was exempt from taxation under the provisions of this section, the reacquisition of title by such owner or owners within nine (9) months of the date of transfer shall be deemed to satisfy the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve (12) consecutive months. Where, upon or subsequent to the death of an owner or owners, title to property which as of the date of such death was exempt from taxation under such provisions, becomes vested, by virtue of devise or descent from the deceased owner or owners, or by transfer by any other means within nine months after such death, solely in a person or persons who, at the time of such death, maintained such property as a primary residence, the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve (12) consecutive months shall be deemed satisfied.

- C) Unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this local law.
- D) Unless the real property is the legal residence and is occupied, in whole or in part, by the owner or by all of the owners of the property; except where, (i) an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section 2801 of the Public Health Law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility and provided further, that during such confinement such property is not occupied by other than the spouse or co-owner of such owner; or (ii) the real property is owned by a spouse and/or spouses, or an ex-spouse, and either is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this local law are not provided that where an exemption was previously granted when both resided on the property, then the person remaining on the real property shall be sixty-two years of age or over.

SECTION 6. Application for such exemption must be made by the owner, or all of the owners of the property, on forms prescribed by the commissioner to be furnished by the appropriate local assessing unit, and shall furnish the information and be executed in the manner required or prescribed on such forms, and shall be filed in such Assessor's Office on or before the appropriate taxable status date. Notwithstanding any other provision of law, any person otherwise qualifying under this section shall not be denied the exemption under this section if he becomes sixty-five (65) years after the appropriate taxable status date and on or before December 31, of the same year.

SECTION 7. At least sixty (60) days prior to the appropriate taxable status date, the appropriate local assessing unit shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. The appropriate local assessing unit shall, within three (3) days of the completion and filing of the tentative assessment roll, notify by mail any applicant who has included with their application at least one (1) self-addressed, prepaid envelope, of the approval or denial of the application; provided, however, that the appropriate local assessing unit shall, upon receipt and filing of the application, send by mail notification of receipt to any applicant who has included two (2) of such envelopes with the application. Where an applicant is entitled to a notice of denial pursuant to this subsection, such notice shall be on a form prescribed by the State Board and shall state the reasons for such denial and shall further state that the applicant may have such determination reviewed in the manner provided by law. Failure to mail any such application form or notices or failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

The appropriate local assessing units shall accept applications for the renewal of exemptions pursuant to this section after the taxable status date. In the event that the owner or all of the owners of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints.

SECTION 8. Penalty for false statement; collection or erroneous exemption; payment of fines.

- A) Any conviction of having made any willful false statement in the application for such exemption, shall be punishable by a fine of not more than one hundred dollars (\$100) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

- B) Notwithstanding any inconsistent provisions of the New York State Real Property Tax Law, the collection of any amount of tax erroneously exempted due to an incorrect statement in an application for exemption shall be enforceable in the same manner provided for the collection of delinquent taxes pursuant to the provisions of Article 11 of the New York State Real Property Tax Law.

- C) Any fine levied pursuant to Section 8 (A) of this subsection shall be paid to the appropriate assessing authority.

SECTION 9. The real property tax exemption on real property owned by spouses, one of whom is sixty-five (65) years of age or over, once granted, shall not be rescinded by the County of Albany solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two (62) years of age.

SECTION 10. This law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after January 1, 2014.



DANIEL P. MCCOY
COUNTY EXECUTIVE

STEPHEN W. HERRICK
PUBLIC DEFENDER

COUNTY OF ALBANY
PUBLIC DEFENDER
112 STATE STREET, 2ND FLOOR
ALBANY, NEW YORK 12207
PHONE: (518) 447-7150 FAX: (518) 447-5533
www.albanycounty.com

April 3, 2023

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

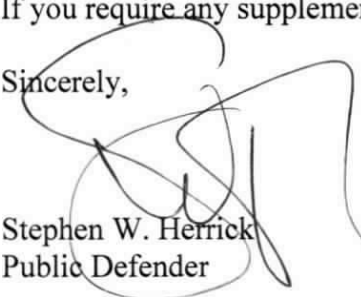
Dear Chairman Joyce:

The Albany County Public Defender's Office requests a budget amendment to appropriate funds relating to the extension of the NYS Office of Indigent Legal Services Distribution #9 and Distribution #10 grants.

There is no match to the grant funds, and the funds are not included in the Office's 2023 budget.

If you require any supplemental information, please feel free to contact me.

Sincerely,


Stephen W. Herrick
Public Defender

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-4133, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

AMENDING THE BUDGET OF THE PUBLIC DEFENDER'S OFFICE TO APPROPRIATE FUNDS RELATING TO THE EXTENSION OF THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES DISTRIBUTION #9 AND DISTRIBUTION #10 GRANTS

Date: 3/15/23
 Submitted By: Keith Bulatao
 Department: Public Defender's Office
 Title: Fiscal Officer
 Phone: 518-447-7771
 Department Rep.
 Attending Meeting: Judge Stephen Herrick and/or Keith Bulatao

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.: A9.1170.2.2001; A9.1170.2.2050; A9.1170.4.4020; A31170.03025
Source of Funds: ILS Distribution #9 and Distribution #10
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: A3.1170.0.3025

Revenue Amount: \$195,527.00

Appropriation Account and Line: A9.1170.2.2001; A9.1170.2.2050; A9.1170.4.4020

Appropriation Amount: \$195,527.00

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) 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: 19-053

Date of Adoption: 2/11/19

Justification: (state briefly why legislative action is requested)

The Public Defender is requesting an amendment to the 2023 Budget to appropriate funds relating to the extension of the NYS Office of Indigent Legal Services' Distribution #9 and Distribution #10 grants. The remaining balance on the grant is being added: \$195,527.00. This is 100% State funded.

ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A9 1170 2 2001	Office Equipment	195,527.55			
A9 1170 2 2050	Computer Equipment	25,000.00			
A9 1170 4 4020	Office Supplies	5,000.00			
	TOTAL Appropriations	195,527.55	0.00		
	ESTIMATED REVENUES				
	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
A3 1170 0 3025	Indigent Legal Funds (Dist.)		195,527.00		
	TOTAL INCREASE		195,527.00		
	GRAND TOTALS	195,527.55	195,527.00		



DANIEL P. MCCOY
COUNTY EXECUTIVE

STEPHEN W. HERRICK
PUBLIC DEFENDER

COUNTY OF ALBANY
PUBLIC DEFENDER
112 STATE STREET, 2ND FLOOR
ALBANY, NEW YORK 12207
PHONE: (518) 447-7150 FAX: (518) 447-5533
www.albanycounty.com

March 29, 2023

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

Dear Chairman Joyce:

The Albany County Public Defender's Office is requesting authorization to enter into a memorandum of agreement with Albany High School for a mutually beneficial work based learning program for Albany High School students. Students in the program will receive work based learning in the Public Defender's Office in an unpaid internship-like arrangement.

If you require any supplemental information, please feel free to contact me.

Sincerely,

Stephen W. Herrick
Public Defender

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-4163, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

AUTHORIZATION FOR THE PUBLIC DEFENDER'S OFFICE TO ENTER INTO A WORK BASED LEARNING PROGRAM MEMORANDUM OF AGREEMENT WITH ALBANY HIGH SCHOOL

Date: March 29, 2023
Submitted By: Keith Bulatao
Department: Public Defender
Title: Fiscal Officer/Grants Manager
Phone: 518-447-7771
Department Rep.
Attending Meeting: Stephen Herrick and/or Keith Bulatao

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)

Contract Terms/Conditions:

Party (Name/address):

Albany High School
99 Kent Street
Albany, NY 12206

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) September 1, 2023 - August 31, 2028

Length of Contract: 60 months

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 Public Defender's Office is requesting authorization to enter into a memorandum of agreement with Albany High School for a mutually beneficial work based learning program for Albany High School students. Students in the program will receive work based learning in the Public Defender's Office in an unpaid internship-like arrangement.



ALBANY HIGH SCHOOL CAREER AND TECHNICAL EDUCATION

99 Kent Street • Albany, New York 12206 • 518-475-6400 • www.ahscte.com



Work Based Learning: Memorandum of Agreement: Organization

This establishes an agreement between Albany High School and the following Employer:

_____ located at: _____
(Name of Business/Organization) (Street Address of Business/Organization)

_____ relating to work based learning programs and ensuing experiences for
(City, State, and Zip Code of Business/Organization)

students from various Career and Technical Education pathways.

This Memorandum of Agreement will be in effect from _____ to _____.
(not to exceed five years)

The following are general expectations and requirements that are agreed upon by the undersigned.

1. The work based learning program and ensuing experience(s) will comply fully with ALL applicable New York State and federal labor laws, including workers compensation laws and those specific to prohibited occupations, as well as with New York State Education Department laws and regulations (see reverse side);
2. The Employer and a certified Coordinator of Work Based Learning Programs for Career Development will supervise all Career and Technical Education work based learning programs and ensuing experiences;
3. A separate document will be executed for each student placement which will identify the type of work based learning program and only require the signatures of the Employer's local authorized agent, the Work Based Learning Coordinator, student and student's parent/guardian;
4. The student will be evaluated during the program and must maintain satisfactory standards of performance to continue in the experience (see reverse side);
5. After appropriate discussion, any party may elect to discontinue this agreement at any time. The parties/signatories hereby agree that good communication and understanding between them is vital if the objectives of this work based learning program and ensuing experience(s) are to be met and that joint conferences between the student, Employer, parent/guardian, instructor, and others may be scheduled from time to time in order to discuss:
 - The student's progress
 - Any misunderstandings
 - The reason for termination of the Memorandum of Agreement.

(over)

THE EMPLOYER AGREES THAT IT WILL:

1. Not permit the student to replace any paid employee (in the case of a non-paid work experience);
2. Advise the student of all company rules, regulations and policies which relate to the student;
3. Explain to the student the responsibilities and duties of his/her job;
4. Provide direct supervision by an authorized employee to the student as needed;
5. Complete an accident report form and notify Albany High School, by calling the main office at (518) 475-6200, in the event of an accident;
6. Review the student's performance with him/her on a regular basis and verify the number of hours worked, complete an evaluation of the student on forms provided by Albany High School twice during the student's work based learning experience;
7. Inform Ms. Lindsay Simmons, Work Based Learning Coordinator, when the student is absent or not performing adequately by contacting her at (518) 475-6417 or emailing her at lsimmons@albany.k12.ny.us.
8. The following specific work experience arrangements have been made and will serve as the operating procedure for this work based learning program and ensuing experience(s).
 - a. The student-learner shall be given opportunity to progress through the various phases of work listed in the student's training plan and evaluation form approved by the Work Based Learning Coordinator and the Employer.
 - b. Special safety instruction will be provided to the student trainee, by the Employer prior to assignment to work with hazardous equipment or in hazardous areas.
 - c. The employee's designated supervisor and the student's Career and Technical Education teacher shall evaluate the student during the work based learning experience;
9. If this is a paid experience, the student shall begin employment at no less than the prevailing minimum wage and will comply with all state, federal, and local labor laws;
10. This agreement may be discontinued at any time; however, the Work Based Learning Coordinator requests consultation with the Employer beforehand;
11. The Employer and school agree that the student will be accepted and assigned jobs and otherwise treated without regard to age, color, religion, creed, disability, marital status, national origin, race, gender, or sexual orientation;
12. Comply fully with ALL applicable NYS and Federal labor laws, including workers compensation laws and those specific to prohibited occupations, as well as with New York State Education Department laws and regulations.

We, as Work Based Learning Coordinator and Employer, agree to the terms and conditions as stated above to the best of our ability.

Work Based Learning Coordinator on behalf of Albany High School

Name: Lindsay Simmons

(Name)

Work Based Learning Coordinator

(Title)

Signature: _____ Date: _____

Authorized Agent of Employer

Name: _____

(Name)

(Title)

Signature: _____ Date: _____



DANIEL P. MCCOY
COUNTY EXECUTIVE

STEPHEN W. HERRICK
PUBLIC DEFENDER

COUNTY OF ALBANY
PUBLIC DEFENDER
112 STATE STREET, 2ND FLOOR
ALBANY, NEW YORK 12207
PHONE: (518) 447-7150 FAX: (518) 447-5533
www.albanycounty.com

April 3, 2023

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

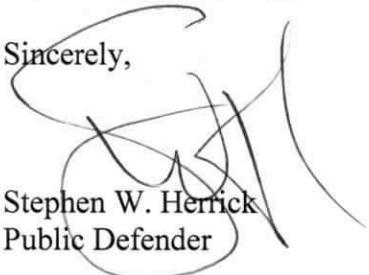
Dear Chairman Joyce:

The Albany County Public Defender's Office, Alternate Public Defender's Office, and Assigned Counsel Office request to amend the agreement with the New York State Office of Indigent Legal Services regarding the statewide expansion of the Hurrell-Harring settlement to reflect the finalized fifth year plan.

The Albany County Public Defender's Office also requests to amend the budget of the Public Defender's Office to reflect changes made during finalization of the fifth year plan.

If you require any supplemental information, please feel free to contact me.

Sincerely,


Stephen W. Herrick
Public Defender

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-4134, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2023 ALBANY COUNTY BUDGET

Date: 3/15/23
 Submitted By: Keith Bulatao
 Department: Public Defender’s Office
 Title: Fiscal Officer
 Phone: 518-447-7771
 Department Rep.
 Attending Meeting: Judge Stephen Herrick and/or Keith Bulatao

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
Source of Funds: Statewide Expansion of the Hurrell-Harring Settlement Grant
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: Various
Revenue Amount: Click or tap here to enter text.

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

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) 4/1/18 through 3/31/23
Length of Contract: 60 months

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: 19-151 and 22-121
Date of Adoption: 4/8/19 and 4/11/22

Justification: (state briefly why legislative action is requested)

Authorization is requested to amend the agreement with the New York State Office of Indigent Legal Services regarding the statewide expansion of the Hurrell-Harring settlement to reflect the finalized fifth year plan. Authorization is also requested to amend the budget of the Public Defender's Office to reflect changes made during finalization of the fifth year plan.

ACCOUNT NO.		APPROPRIATIONS	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A9 1170	16412	10000	Receptionist		41,310.00	41,310.00	Public Defender
A9 1170	10000	150139	Felony Supervisor	5,301.00		104,000.00	Public Defender
A9 1170	10000	150144	Clerk II	3,182.50		48,282.00	Public Defender
A9 1170	10000	150145	Peer Support	1,424.00		64,524.00	Public Defender
A9 1170	15023	10000	Peer Advocate		30,600.00	40,800.00	Public Defender
A9 1170	15027	10000	Mitigation Specialist	34,800.00		45,000.00	Public Defender
A9 1170	15028	10000	Fiscal Officer II	73,325.00	65,025.00	86,700.00	Public Defender
A9 1170	11211	10000	Director of Accounts	59,124.75		95,000.00	Public Defender
A9 1170	12019	10000	Assistant Public Defender II	59,124.75		78,833.00	Public Defender
A9 1170	12019	10000	Assistant Public Defender II	67,570.50		90,084.00	Public Defender
A9 1170	12027	10000	Assistant Public Defender IV	73,065.00		97,420.00	Public Defender
A9 1170	12028	10000	Assistant Public Defender V	78,228.25		104,171.00	Public Defender
A9 1170	12029	10000	Assistant Public Defender VI	80,325.00		97,100.00	Public Defender
A9 1170	11922	10000	Director Of Operations	36,250.00		70,000.00	Public Defender
A9 1170	11922	10000	Legal Secretary		52,500.00	60,000.00	Mgmt & Budget
A9 1170	11929	10000	Data Analyst	30,000.00		500,409.00	Public Defender
A9 1340	116024	10000	Social Security	34,627.29		549,760.00	Public Defender
A9 1170	89010	10000	Hospital And Medical Insurance	168,337.92		1,333,243.00	Public Defender
A9 1170	89060	10000	State Retirement	2,430.00		46,445.00	Mgmt & Budget
A9 1340	89030	10000	Social Security	2,295.00		79,606.00	Mgmt & Budget
A9 1340	89060	10000	Hospital And Medical Insurance	11,175.30		86,777.00	Mgmt & Budget
A9 1170	44046	10000	Fees For Services	85,665.45		99,454.00	Public Defender
A9 1170	44120	10000	Discovery/Storage/PDCMS	102,500.00		146,865.00	Public Defender
A9 1170	44121	10000	Specialized Services	15,000.00		102,500.00	Public Defender
A9 1170	24050	10000	Computer Equipment	75,000.00		41,000.00	Public Defender
A9 1170	44056	10000	Legal Reference	10,000.00		75,000.00	Public Defender
A9 1170	44056	10000	Association Dues	10,000.00		20,000.00	Public Defender
A9 1170	44039	10000	Conferences/Training/Tuition	5,000.00		50,000.00	Public Defender
A9 1170	44039	10000	Client Transportation	12,348.00	500.00	18,348.00	Public Defender
A9 1170	44042	10000	Printing And Advertising	10,000.00		26,000.00	Public Defender
A9 1170	44038	10000	Travel Mileage Freight	1,600.00		6,600.00	Public Defender
A9 1170	22001	10000	Office Equipment		47,450.00		Public Defender
A9 1170	44040	10000	Books Transcripts Subscript		35,000.00	5,000.00	Public Defender
A9 1170	44041	10000	Computer Fees				Public Defender
TOTAL Appropriations				1,257,082.00	272,385.00		
ESTIMATED REVENUES							
RESOLUTION DESCRIPTION				DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
A3 1170	0 3338		Statewide Implementation		850,272.00		Public Defender
A3 1340	0 3338		Statewide Implementation		34,425.00		Mgmt & Budget
TOTAL Revenue				0.00	884,697.00		
GRAND TOTALS				1,257,082.00	1,257,082.00		

RESOLUTION NO. 151

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2019 ALBANY COUNTY BUDGET

Introduced: 4/8/19

By Audit and Finance and Law Committees:

WHEREAS, The County Executive and Albany County Public Defender have indicated that the State of New York has committed to expanding the Hurrell-Harring settlement on a statewide basis thereby increasing the availability of legal representation for indigent defendants in Albany County including ensuring the accessibility of counsel at arraignments, establishing caseload limits for counsel, and increasing the availability of experts, and

WHEREAS, the County Executive and Albany County Public Defender have further indicated that the Albany County Public Defender, Alternate Defender, and Assigned Counsel Program will directly benefit from this increased funding and it will be used to pay for added personnel, contractual expert services, training, mentoring, and other indigent defense resources, and

WHEREAS, The County Executive and Public Defender have requested authorization to enter into a five year agreement with the New York State Office of Indigent Legal Services regarding the aforementioned full statewide implementation Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending on March 31, 2023, and

WHEREAS, The County Executive has further indicated that the County of Albany will be entitled to funds in the amount of \$1,750,920 for the 2019 calendar year, and

WHEREAS, This Honorable Body has already provided for funding to the Public Defender's Office through the Adopted 2019 County Budget, however a budget amendment is necessary to incorporate the additional funding that will be received from the state for 2019, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is hereby authorized to enter into an agreement with the New York State Offices of Indigent Legal Services regarding the statewide implementation of the Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending March 31, 2023, and, be it further

RESOLVED, By the Albany County Legislature that the 2019 Budget is amended as follows:

Increase Revenue Account A3338 Statewide Implementation by \$249,125

Increase Appropriation Account A1172.1 by \$113,800 by creating and increasing the following Line Items:

Line Item A1172 1 2002 Supervising Attorney by \$85,000

Line Item A1172 1 9935 Law Intern Program by \$28,800

Increase Appropriation Account A1172.4 by \$90,275 by increasing the following Line Items:

Line Item A1172 4 4046 Fees For Services by \$50,000

Line Item A1172 4 4039 Conferences/Training/Tuition by \$30,000

Line Item A1172 4 4020 Office Supplies by \$4,000

Line Item A1172 4 4040 Books/Transcripts/Subscripits by \$4,275

Line Item A1172 4 4038 Travel-Mileage/Freight by \$2,000

Increase Appropriation Account A1172.8 by \$45,050 by creating and increasing the following Line Items:

Line Item A1172 8 9010 State Retirement by \$15,305

Line Item A1172 8 9030 Social Security by \$6,460

Line Item A1172 8 9060 Hospital and Medical Insurance by \$23,285

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 – 4/8/19

RESOLUTION NO. 121

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2022 ALBANY COUNTY BUDGET

Introduced: 4/11/22
By Law Committee:

WHEREAS, By Resolution No. 151 for 2019, this Honorable Body authorized a five-year agreement with the New York State Office of Indigent Legal Services regarding the statewide expansion of the Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending March 31, 2023, and

WHEREAS, The Albany County Executive, on behalf of the Public Defender, Alternate Public Defender, and Assigned Counsel Program, has requested authorization to amend the aforementioned agreement to reflect the finalized fourth year plan as approved by the New York State Office of Indigent Legal Services, and

WHEREAS, The Albany County Executive, on behalf of the Public Defender, Alternate Public Defender, and Assigned Counsel Program, has also requested an amendment to the 2022 Albany County Budget to reflect changes made during the finalization process, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to amend the five-year agreement with the New York State Office of Indigent Legal Services to reflect the finalized fourth year plan, and, be it further

RESOLVED, That the 2022 Albany County Budget is hereby amended as follows:

Increase Revenue Account A3338 (1172) Statewide Implementation by \$127,689

Decrease Revenue Account A3338 (1170) Statewide Implementation by \$127,689

Decrease Appropriation Account A1170.1 by \$159,606 by decreasing the following line items:

Decrease and Delete Line Item A1170 1 2205 001 Staff Social Worker by \$48,750 with an annual salary of \$0

Decrease and Delete Line Item A1170 1 2205 002 Staff Social Worker by \$48,750 with an annual salary of \$0

Decrease and Delete Line Item A1170 1 2026 010 Assistant Public Defender III by \$62,106 with an annual salary of \$0

Decrease Appropriation Account A1170.8 by \$33,663 by decreasing the following line items:

Decrease Line Item A1170 8 9010 State Retirement by \$11,676

Decrease Line Item A1170 8 9030 Social Security by \$4,752

Decrease Line Item A1170 8 9060 Hospital and Medical Insurance by \$17,235

Decrease Appropriation Account A1172.1 by \$34,224 by decreasing and deleting Line Item A1172 1 5023 001 Paralegal by \$34,224 with an annual salary of \$0

Decrease Appropriation Account A1172.4 by \$1,455 by decreasing Line Item A1172 4 4020 Office Supplies by \$1,455

Decrease Appropriation Account A1172.8 by \$18,552 by decreasing the following line items:

Decrease Line Item A1172 8 9010 State Retirement by \$6,435

Decrease Line Item A1172 8 9030 Social Security by \$2,619

Decrease Line Item A1172 8 9060 Hospital and Medical Insurance by \$9,498

Increase Appropriation Account A1170.1 by \$97,500 by increasing the following line items:

Increase Line Item A1170 1 2040 001 Criminal Defense Caseworker by \$48,750 with an annual salary of \$65,000

Increase Line Item A1170 1 2040 002 Criminal Defense Caseworker by \$48,750 with an annual salary of \$65,000

Increase Appropriation Account A1172.4 by \$150,000 by increasing Line Item A1172 4 4493 NYS 18-B Voucher Funding by \$150,000

and, be it further

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

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

Adopted by unanimous vote – 4/11/22