

County of Albany

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



Meeting Agenda

Thursday, May 30, 2024

6:00 PM

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

Personnel Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES
3. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING CHANGES TO ACCRUALS AND HEALTH COVERAGE

CURRENT BUSINESS:

4. ESTABLISHING ALBANY COUNTY REMOTE WORK/TELEWORK POLICY FOR COUNTY EMPLOYEES

County of Albany

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



Meeting Minutes

Thursday, April 25, 2024

6:00 PM

**Harold L. Joyce Albany County Office Building
Room 730**

Personnel Committee

PREVIOUS BUSINESS:

Present: Lynne Lekakis, Sean E. Ward, Gilbert F. Ethier, Raymond F. Joyce, Jeffrey D. Kuhn, Todd A. Drake and Mark E. Grimm

Excused: Samuel I. Fein and Merton D. Simpson

1. APPROVING PREVIOUS MEETING MINUTES

Restore NY Grant, which went through Audit and Finance last night in re central warehouse: Mauriello, Burgdorf, Drake

Colonie EMS grants from opioid settlement funds from last night's Health: Lockart

CURRENT BUSINESS:

2. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES

This proposal was tabled at the request of the Sponsor.

3. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING COMPENSATORY TIME

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

4. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING CHANGES TO ACCRUALS AND HEALTH COVERAGE

This proposal was tabled at the request of the Committee.

LOCAL LAW “A” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 106 OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS FOR FACILITIES WITHIN ALBANY COUNTY WHERE THE LOCAL GOVERNMENTAL UNIT IDENTIFIED BY NEW YORK STATE IS THE ALBANY COUNTY DEPARTMENT OF MENTAL HEALTH

Introduced: 2/12/24

By Mclean Lane:

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

Section 1. Article Creation.

Chapter 106, Article II, **Local Governmental Unit**, is hereby created.

Section 2. § 106-9 -- Legislative Purpose and Intent.

This legislation is to ensure that when an application is received by the Albany County Department of Mental Health where they are identified by New York State as the local governmental unit, before any decisions are made by County or State authorities, Albany County residents are offered the opportunity to be informed.

Section 3. § 106-10 - Notice of Receipt of Application to Involved Representatives.

A. Within 10 days of receipt of an application or notice of application from a New York State Agency where the Albany County Department of Mental Health is identified as the “local governmental unit” the Commissioner of the Department of Mental Health shall provide to the following representatives a copy of the application and/or notice of application from OASAS, and allow 30 days for those representatives to submit comment on the proposed facility:

- 1) The Albany County Legislator who represents the legislative district which contains the proposed location or facility; and
- 2) Each City, Town, or Village Mayor or Supervisor who represents the municipality which contains the proposed location or facility; and
- 3) Each City, Town, or Village Council or Board member who represents the municipality which contains the proposed location or facility.

B. All notifications pursuant to this Section shall be sent via regular mail, with an electronic mail following which shall contain a digital version or electronic link to

the application and/or notice of application along with all accompanying documents and information.

[C. No notice is required pursuant to this Local Law when the proposed application is only to re-locate an already existing facility within the same municipality in the County of Albany.]

Section 4. § 106-11 - Notice of Public Meeting to Involved Representatives.

A. Within 5 days of the posting of a notice of a public meeting agenda of the Behavioral Health Services Advisory Council, the Albany County Community Services Board, and/or the Albany County Alcohol and Substance Abuse Subcommittee where an application to locate a facility to treat substance use disorders in the County of Albany is on the agenda, the Commissioner of the Department of Mental Health shall provide a copy of that notice to the following representatives:

- 1) The Albany County Legislator who represents the legislative district which contains the proposed location or facility; and
- 2) Each City, Town, or Village Mayor or Supervisor who represents the municipality which contains the proposed location or facility; and
- 3) Each City, Town, or Village Council or Board member who represents the municipality which contains the proposed location or facility.

B. All notifications pursuant to this Section shall be sent via regular mail, with an electronic mail following which shall contain a digital version or electronic link to the application and/or notice of application along with all accompanying documents and information.

[C. No notice is required pursuant to this Local Law when the proposed application is only to re-locate an already existing facility within the same municipality in the County of Albany.]

Section 5. 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 6. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 7. Effective Date.

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

Referred to Law and Health Committees – 2/12/24

Favorable Recommendation Law Committee – 4/24/24

Favorable Recommendation Health Committee – 4/25/24

Favorable Recommendation Law Committee – 5/13/24

On long roll call vote the following members voted in favor: Beston, Burgdorf, Cleary, Collins, Commisso, Conway, Cunningham, Domalewicz, Drake, Efekoro, Ethier, Feeney, Fein, Grimm, A. Joyce, R. Joyce, Kuhn, Laurilliard, Lockart, Mauriello, McLaughlin, Pedo, Perlee, Plotsky, Reidy, Ricard, Robinson, Rosano, Simpson, Smith, Ward and Whalen – 32

Those opposed – Lekakis and Miller – 2

Local Law was adopted – 5/13/24



DANIEL P. MCCOY
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JENNIFER S. CLEMENT
COMMISSIONER

MICHAEL P. MCLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

TYRELL GLADDEN
DEPUTY COMMISSIONER

May 8, 2024

Honorable Joanne Cunningham, Chair
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham,

Amended Request: I respectfully request to amend the previous request by removing the item pertaining to Comp Time. Thank you in advance for your consideration. I have made the same change to the backup detail.

In an ongoing effort to recruit and retain employees, I respectfully recommend the following amendments to the Rules and Regulations for Albany County Employees:

- 1) Provide Continuation of Coverage for Surviving Spouse and/or Dependents.
Albany County Rules and Regulations, Article IX Section B(3)(b), full time employees with an employment date after October of 1999, need a minimum of 30 years of service to obtain a limited continuation of Surviving Spousal and Dependent Coverage. I recommend removing this section in its entirety, reverting to 15 years of service, and modifying the years of continuation and contribution rates for active employee and retirees after 1/1/2024.
- 2) Rescind Resolution No 37 of 2013 Re: Liquidation of Vacation Accrual Upon Separation.
In 2013, Resolution No. 37 authorized an amendment to the Rules and Regulations for new Albany County employees regarding vacation accruals.
- 3) Add Paid Parenting Leave to Article VI of the Albany County Rules and Regulations for Employees.
Background: Employees currently utilize earned accruals to cover leaves of absence for birth, placement for adoption or foster care.
- 4) Amend Rules and Regulations Article VI (L), Donated Leave Program to Include Donations of Sick Accruals in Excess of 13 weeks.

Thank you in advance for your consideration. Please contact me with any questions or concerns you may have.

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-5240, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Amendment to Rules and Regulations for Albany County Employees

Date: 3/4/2024
Submitted By: Jennifer Clement
Department: Human Resources
Title: Commissioner
Phone: 518-447-5510
Department Rep.
Attending Meeting: Jennifer Clement

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

Revenue

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

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

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

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

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

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

CONCERNING ALL REQUESTS

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

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

County Budget Accounts:

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

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

Source of Funding - (Percentages)

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

Original Awarding Agency / Funder:
Click or tap here to enter text.
New York State Pass-Through Agency (if applicable):
Click or tap here to enter text.

Term

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

Impact on Pending Litigation Yes No
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

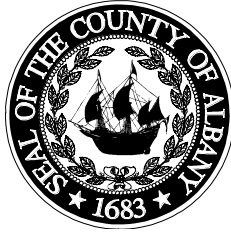
Resolution/Law Number: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

Justification: See Attached

- 1. Under Article IX of Albany County Rules and Regulations, Section B, 3. for full time employees with an employment date after October of 1999, employees would need a minimum of 30 years of service to obtain a limited Spousal/Dependent Coverage. The Department recommends removing this section in its entirety and reverting to the previous 15 years of service with an additional amendment to include modified contribution rates and continuous coverage regardless of years.**
- 2. Rescind Resolution No 37 of 2013 Re: Liquidation of Vacation Accrual Upon Separation**
- 3. Adding Paid Parenting Leave to Article VI of the Albany County Rules and Regulations for Employees
Background: Employees currently utilize earned accruals to cover leaves of absence for birth, placement for adoption or foster care.**
- 4. Amending Albany County Rules and Regulations for Employees, Article V (A) (2), granting
Compensatory Time for all hours worked, greater than the standard work week for all FLSA Non-Covered**

Employees (Exempt)

- 5. Amending Rules and Regulations Article VI (L), Donated Leave Program to Include Donations of Sick Accruals in Excess of 13 weeks.**



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Proposed amendments to the Albany County Rules and Regulations for Employees

1) Continuation of Coverage for Surviving Spouse and/or Dependents

Background: Under Albany County Rules and Regulations, Article IX Section B(3)(b), full time employees with an employment date after October of 1999, need a minimum of 30 years of service to obtain a limited continuation of Surviving Spousal and Dependent Coverage. I recommend removing this section in its entirety, reverting to 15 years of service, and modifying the years of continuation and contribution rates for active employee and retirees after 1/1/2024.

The proposed amendment is as follows:

Spousal/Dependent Coverage.

Spouses and eligible dependents of County retirees (employees) remain covered as long as the retiree maintains an active enrollment. At the time of death of a retired, or active, County employee, spouse and dependent coverage may be extended as follows:

Spouses and eligible dependents will be covered for a three (3) month period. At the end of three months spouses and eligible dependents have the option of electing COBRA benefits or as specified in b.

For all full-time employees or retirees with a minimum of fifteen (15) years of full-time equivalent County service coverage will be extended with a premium contribution as follows:

Years of Completed Full Time Equivalent County Service	Number of Years Eligible for Continuation of Health Insurance Benefits	Premium Contribution Rate
15 – or more	Continuous	Same Contribution Rate as Employee or Retiree

Estimated Cost: The cost of this proposal is already accounted for in the current projected retiree benefit costs. Surviving spousal coverage is already included in the maximum liability coverage under the Government Accountability Standards Board (GASB), when projecting the accrued liability of our retiree benefits and their existing contribution rates.

2) Rescind Resolution No 37 of 2013 Re: Liquidation of Vacation Accrual Upon Separation

Background: In 2013, Resolution No. 37 authorized an amendment to the Rules and Regulations for new Albany County employees regarding vacation accruals. The 2013 amendment reduced the number of vacation days that may be liquidated upon separation from County service for new employees hired on or after March 1, 2013. A maximum of thirty (30) days of unused vacation leave may be liquidated upon separation for hires after March 1, 2023. At the time of passage, there was an immediate need to reduce the accrued liability of unpaid accruals at the time of employee separated from service. Subsequently, the County

has established accrued liability lines and no longer needs to limit the benefit of accruing vacation time. Additionally, as a result of staffing shortages and in some cases there is an inability for employees to utilize accruals, it is prudent to increase the maximum amount eligible for payout upon separation from service.

By rescinding Resolution No 37 of 2013, Albany County shall revert to the existing terms Under Article VI (N) (5), Liquidation of Accruals Upon Separation. Unused vacation leave up to a maximum of sixty-five (65) days credit shall be liquidated in cash upon separation from County service. An employee who has completed less than six months of County service has not yet accrued any vacation leave, and will not have any vacation leave to liquidate at separation. A separating employee must liquidate unused vacation leave in cash as soon as possible following his or her last day worked. A separating employee shall not be allowed to remain on the payroll until his or her vacation credits are exhausted.

Estimated Cost: Vacation Accrual payouts of time is encompassed in each employee's personnel line, which is already accounted for in the existing budget. Many budgets already include an accrued liability line for the purposes of these payouts.

- 3) **Add Paid Parenting Leave to Article VI of the Albany County Rules and Regulations for Employees**
Background: Employees currently utilize earned accruals to cover leaves of absence for birth, placement for adoption or foster care. A twelve week absence for a full time 35 hour employee would involve the use of 420 hours of time. For most, this amount would have taken nearly two years to accumulate, and that is with very few absences in between and prior to the leave. The impact of this substantial accrual use also impacts the employee when they return to work following the absence. Since all accruals have been depleted, routine medical appointments, with are common with a child, are not able to be covered with paid accruals and can cause greater stress to the new family.

Under the Paid Parenting Leave an employee shall be granted a paid leave of absence for twenty (20) consecutive standard work days to care to the employee's child after birth, placement for adoption or foster care.

Eligibility for the Paid Parenting Leave expires at the end of the twelve month period beginning on the date of birth or placement.

Employees must be eligible for Family and Medical Leave Act (FMLA) under are Article VII of Albany County Rules and Regulations in order to qualify for Paid Parenting Leave.

Paid Parenting Leave shall run concurrent with the qualifying FMLA absence.

Twenty (20) consecutive Paid Parenting Leave days shall be utilized prior to the use of any other accruals or unpaid absences during the FMLA leave.

No portion of the Paid Parenting Leave is transferrable, cashable or eligible to be saved for the use at another time. In the event that both parents are Albany County employees, only one parent may qualify for the Paid Parenting Leave at any given time.

Estimate Cost: Paid Parenting Leave use is encompassed in each employee's budgeted personnel line, which is already accounted for in the existing budget. There is no liquidation of this leave upon separation. The cost/value of the Leave Day use is based on the cost/value of an eligible employee to be absent from work. However it is worthy to note that the absence is likely to have occurred regardless of the availability of the accrual, therefore the absence would have needed to have already been anticipated. It is possible that an employee would have returned, due to insufficient paid time available, but perhaps would now the absence will be extended by the twenty paid work days.

4) Amend Rules and Regulations Article VI (L), Donated Leave Program to Include Donations of Sick Accruals in Excess of 13 weeks.

- i) The existing Donated Leave Program allows employees to donate time to a coworker in need of absence due to personal illness or due to the need to provide care to an immediate family member, as defined under the Family Medical Leave Act (FMLA). The existing donated leave program under Article VI (L) only permits the donation of personal, vacation and comp time to transfer to the requesting employee's sick leave account. Donated sick time would operation in tandem with the existing Donated Leave program. Under this amendment, employees with Sick accruals in excess of 13 weeks may donate Sick Accrual Hours to other employees.

Estimated Cost: Sick time accrual use is encompassed in each employee's personnel line, which is already accounted for in the existing budget. The cost/value of the recipient of the donated time is also factored into that employee's compensation rate, which is also already budgeted.

RESOLUTION NO. 309

ESTABLISHING AN ALBANY COUNTY REMOTE WORK/TELEWORK POLICY FOR COUNTY EMPLOYEES

Introduced: 5/13/24

By Efekoro:

WHEREAS, Albany County has a long history of supporting its workforce, and it will continue to do so as keeps adjusting to the changing nature of work, and

WHEREAS, The Legislature desires to work in partnership with the County Executive to establish the Albany County Remote Work/Telework Policy for County employees, now, therefore, be it

RESOLVED, That the Albany County Legislature hereby establishes the Albany County Remote Work/Telework Policy for County employees, as annexed hereto, and, be it further

RESOLVED, That the County Executive is encouraged to continuing working with County departments to take any and all steps to effectuate this Policy as soon as possible, 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.

ALBANY COUNTY POLICY REGARDING REMOTE WORK/TELEWORK

Section 1. Purpose.

Albany County has a long history of supporting its workforce, and it will continue to do so as keeps adjusting to the changing nature of work. This Policy provides remote work/teleworking options for certain County employees.

This program will allow employees to work their standard workweek, with a maximum of two days (or hours value of two standard days) per pay period permitted to be worked/performed remotely.

Section 2. Remote Work/Telework Program.

All employee protocols and rules pertaining to employees are represented in their respective collective bargaining agreement and/or the Albany County Rules and Regulations, which is passed and amended by the Albany County Legislature.

Employees who can perform a portion or all of their job remotely, are permitted to do so on a case-by-case and department-by-department basis. Some positions are ineligible due to (but not limited to): mandatory direct in-person service delivery, restrictive computer programs/access, non-suitable work setting at home, sensitive nature of work and lack of confidential setting in the home, and general technology limitations.

Section 3. Remote Work Structure.

Departments must identify the Department's Remote Work Structure. If it falls within one of the first three structures, remote work/telework may be permitted.

- A. Weekly Scheduled Hybrid Remote Workers (no greater than two consecutive days per week as outlined below)
- B. Case-by-Case Basis Only Remote Work Participants (meaning only as needed such as due to weather or other extenuating circumstances)
- C. Weekly Scheduled Hybrid AND Case-by-Case Basis Participants.
- D. NO REMOTE WORK. No action required if no remote work is permitted in any the agency or department.

Section 4. Remote Work Contact Person.

Each Department must identify its contact person for the Remote Work Program. Most departments name the individual(s) responsible for timecards. Once a contact is established for the Department, Human Resources will work directly with the

contact person to provide them with the shared workspace site for submission of all weekly mandatory participant documents.

Section 5. Eligible Employees.

To be eligible to participate in this program, an employee must be in good standing and hold a position that is able to be performed remotely. Each Department must identify employees eligible for the Remote Work Program. Each Department must provide an Excel spreadsheet of all employees in the Department who will be eligible to participate. The Excel spreadsheet must include name, title, work phone, personal phone, and County email address.

Section 6. Participating Employees.

Participating employees must be provided with the following documents, which must be completed and returned as follows:

- a. Remote Work Agreement – Must be signed and returned prior to start of remote work.
- b. Remote Work Plan – This general plan outlines remote work assignments and must be completed weekly.
- c. Daily Remote Work Log - Work log instructions are included with the document, which must be completed daily.
- d. Detailed Weekly Timecard – Timecards must be completed to show exact times that were worked.
- e. Remote Work Program Guidelines

All participant documentation is mandatory. Failure to submit requested documents may result in suspension of program participation for the employee or Department. Departments must retain copies of all signed agreements.

Section 7. Program Parameters and Requirements.

- a. All employees must be actively working for the entire duration of their scheduled workday. Response-only work is not permitted.
- b. The program shall not place an undue burden on those employees who are physically present in the workplace.
- c. This program is not intended to and may not be used to replace suitable childcare or child supervision.
- d. All remote hours worked shall be submitted to the participating Departments on a signed Weekly Detailed Timecard accompanied by a Daily Remote Work Log. All work performed remotely must be reflected in a detailed Daily Remote Work Log. No hours can be submitted as time worked without submission of a Daily Remote Work Log.

- e. Participants must request approval and indicate all requested remote days in advance. There is no guarantee of specific approved days during the time period.
- f. Absences from work cannot occur adjacent to a scheduled remote day. For example, if you call in sick from work on day you are required to report in person, you must report to work on your following scheduled remote day.
- g. Employees may NOT change remote scheduled days during the approved period, without advance notice to and approval from the Department.
- h. Remote work schedules will be approved by the Commissioner of the Department, based on the scheduling needs of the Department.
- i. Employees may elect to withdraw from the remote work program no later than the start of pay period for the scheduled remote work.
- j. Any absences from work, both remote and in person, must be charged to accruals accordingly. Employees who are scheduled to work remotely but are unable to work must notify their Department as normal and charge accruals accordingly.
- k. The Albany County Rules and Regulations and any Departmental policies for requested time off shall apply.
- l. Albany County reserves the right to terminate participation in the Remote Work Program if an employee's performance is not satisfactory or when Department demand necessitates.
- m. All work performed remotely shall be verified by the Department routinely.

Section 8. Questions and Inquiries.

Questions regarding this policy may be directed to remotework@albanycountyny.gov