



County of Schenectady

NEW YORK

ANTHONY JASENSKI
CHAIR OF THE LEGISLATURE

GEOFFREY T. HALL
CLERK OF THE LEGISLATURE

SCHENECTADY COUNTY LEGISLATURE

County Office Building
620 State Street – 6th Floor
Schenectady, New York 12305
Tel: (518) 388-4280 Fax: (518) 388-4591
Website: www.schenectadycounty.com

NOVEMBER 2022
COMMITTEE MEETING SCHEDULE

DATE: 28 October 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall; Clerk of the Legislature
SUBJECT: Committee Meetings
Tuesday, November 1, 2022
620 State Street
Legislative Chambers
Sixth Floor – 7:00 PM

7:00 P.M.	Committee on Environmental Conservation, Renewable Energy & Parks Legislator Pratt, Chair	page 1
Followed by:	Committee on Economic Development & Planning Legislator Pratt, Chair	page 3
Followed by:	Committee on Health, Housing & Human Services Legislator Ostrellich, Chair	page 7
Followed by:	Committee on Neighborhood Revitalization Legislator Ruzzo, Chair	page 22
Followed by:	Committee on Public Facilities, Transportation & Infrastructure Legislator Patierne, Chair	page 32
Followed by:	Committee on Public Safety & Firefighting Legislator Constantine, Chair	page 38
Followed by:	Committee on Ways & Means Legislator Fields, Chair	page 57



Schenectady County Legislature

Committee on Environmental Conservation, Renewable Energy and Parks

Hon. Sara Mae Pratt, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Environmental Conservation, Renewable Energy and Parks
Honorable Sara Mae Pratt, Chair
Tuesday, November 1, 2022 at 7:00 p.m
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsor
ECREP	0 AN INFORMATIONAL PRESENTATION BY THE SCHENECTADY COUNTY ENVIRONMENTAL ADVISORY COUNCIL	Legislator Pratt	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Environmental Conservation, Renewable Energy and Parks
Dual Reference:
Initiative: ECREP 0

Title of Proposed Resolution:

AN INFORMATIONAL PRESENTATION BY THE SCHENECTADY COUNTY ENVIRONMENTAL ADVISORY COUNCIL

Purpose and General Idea:

AN INFORMATIONAL PRESENTATION BY THE SCHENECTADY COUNTY ENVIRONMENTAL ADVISORY COUNCIL

Summary of Specific Provisions:

AN INFORMATIONAL PRESENTATION BY THE SCHENECTADY COUNTY ENVIRONMENTAL ADVISORY COUNCIL

Effects Upon Present Law:

None.

Justification:

AN INFORMATIONAL PRESENTATION BY THE SCHENECTADY COUNTY ENVIRONMENTAL ADVISORY COUNCIL

Sponsor: Legislator Pratt

Co-Sponsor:



Schenectady County Legislature

Committee on Economic Development and Planning

Hon. Gary Hughes, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Economic Development and Planning
Honorable Gary Hughes, Chair
Tuesday, November 1, 2022 at 7:00 p.m.
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsor
EDP	18 A RESOLUTION CALLING FOR A PUBLIC HEARING TO CONSIDER AN EXTENSION TO A MULTI-YEAR LEASE AT THE SCHENECTADY COUNTY AIRPORT	Legislator Pratt	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Economic Development and Planning
Dual Reference: Ways and Means
Initiative: EDP 18

Title of Proposed Resolution:

A RESOLUTION CALLING FOR A PUBLIC HEARING TO CONSIDER AN EXTENSION TO A MULTI-YEAR LEASE AT THE SCHENECTADY COUNTY AIRPORT

Purpose and General Idea:

Authorizes the Extension of a Multi- Year Lease agreement with Bruce Tanski at the Schenectady County Airport.

Summary of Specific Provisions:

Authorizes the County to extend a multi-year lease agreement with Bruce Tanski for one acre of land at the Schenectady County Airport. Mr. Tanski is in his 2nd five-year lease which ends on March 31st of 2024. He will then have a final five-year term which would end on March 31, 2029.

Effects Upon Present Law:

None.

Justification:

The original agreement called for a base term of five years with three successive five-year extensions. The lease rate is adjusted each year based on the (CPI) or 3%, whichever is higher. Mr. Tanski also makes a payment in lieu of tax payment to the County, Town, and Scotia-Glenville School District

Sponsor: Legislator Pratt

Co-Sponsor:

COUNTY OF SCHENECTADY




RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Ray Gillen, Commissioner of Economic Development and Planning

Date: October 28, 2022

Re: Authorization to Extend a Multi-Year Lease Agreement with Bruce Tanski at the County Airport

Attached is a memorandum from Ray Gillen, Commissioner of Economic Development and Planning, requesting authorization to extend a multi-year lease agreement with Bruce Tanski at the County Airport. Currently, the County is leasing a 1.37-acre parcel to Mr. Tanski, who has built a hangar on that parcel. The original agreement's termination date is March 31, 2029, which reflects the base term of five years with three successive five-year extensions. The extended multi-year lease agreement, however, would extend the current termination date to March 31, 2039. There would be no additional changes to the lease rate increases.

I recommend your approval.



County of Schenectady
NEW YORK

Ray Gillen
Commissioner

**DEPARTMENT OF ECONOMIC DEVELOPMENT
AND PLANNING**

(518) 386-2225 FAX (518) 382-5530
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, New York 12308

Memo

To: Rory Fluman
From: Ray Gillen
Date: October 17, 2022
Re: **Extend Lease at County Airport**

Currently, Bruce Tanski has a lease agreement with Schenectady County for a 1.37-acre parcel. Mr. Tanski built a 10,000 square foot hangar on the leased parcel at his own expense. The lease parcel is located south of the airport control tower.

The original lease we provided in 2009 called for a base term of 5 years with three successive five year extensions. The lease rate is adjusted each year based on of the Consumer Price Index (CPI) or 3%, whichever is higher. Mr. Tanski also makes a payment in lieu of tax payment to the County, Town and Scotia-Glenville School District.

Mr. Tanski's is in his 2nd five-year lease which ends on March 31st of 2024. He will then have a final five-year term which will end on March 31, 2029.

He would like to extend his current lease agreement for an additional ten years beyond its current termination date of March 31st of 2029. The rent and CPI increases would continue per the existing agreement.

We are asking the County Legislature to approve a lease extension. If you need more information, please let us know.



Schenectady County Legislature

Committee on Health, Housing and Human Services

Hon. Michelle Ostrellich, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Health, Housing and Human Services
Honorable Michelle Ostrellich, Chair
Tuesday, November 1, 2022 at 7:00 p.m.
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

<u>Item</u>	<u>Title</u>	<u>Sponsor</u>	<u>Co-Sponsor</u>
HHHS 14	A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR THE SCHENECTADY COUNTY RENTAL SUPPLEMENT PROGRAM	Legislator Ostrellich	
HHHS 15	A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DEPARTMENT OF HEALTH AIDS INSTITUTE/HEALTH RESEARCH, INC. FOR THE HIV PARTNER SERVICES AND STD DISEASE INTERVENTION PROGRAMS	Legislator Ostrellich	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Health, Housing and Human Services
Dual Reference: Ways and Means
Initiative: HHHS 14

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR THE SCHENECTADY COUNTY RENTAL SUPPLEMENT PROGRAM.

Purpose and General Idea:

Provides Authorization to Accept Funding from The New York State Office of Temporary and Disability Assistance for the Rental Supplement Program.

Summary of Specific Provisions:

Provides authorization for Schenectady County Department of Social Services to accept \$536,305 from The New York State Office of Temporary and Disability Assistance for the Rental Supplement Program.

Effects Upon Present Law:

The New York State Office of Temporary and Disability Assistance has informed the County that the Rental Supplement Program plan was approved. The County was allocated \$536,305. The Department of Finance provides the following amendment to the 2022 Operating Budget to accommodate state funding associated with the Rental Supplement Program.

Establish Appropriation Code:

A546010.415613	Rental Supplement Program	\$536,305
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Establish Revenue Code By:

A36010.361020	State Aid – Rental Supplement Program	\$536,305
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I recommend that this budget amendment be presented to the Schenectady County Legislature for consideration.

Justification:

The New York State Office of Temporary and Disability has approved the County's Rental Supplement Plan and allocated \$536,305 in such funds.

Sponsor: Legislator Ostrelich

Co-Sponsor:

COUNTY OF SCHENECTADY

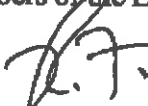


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Paul Brady, Commissioner of Social Services
Jaclyn Falotico, Commissioner of Finance

Date: October 28, 2022

Re: Authorization to Accept Funding from the NYS Office of Temporary and Disability Assistance for the Schenectady County Rental Supplement Program

Attached is a memorandum from Paul Brady, Commissioner of Social Services, requesting authorization to accept funding from the NYS Office of Temporary and Disability Assistance in the amount of \$536,305 for the Schenectady County Rental Supplement Program. The grant period is from April 1, 2022 through March 31, 2023. The program will be administered by the County's contract with Bethesda House and will provide rental assistance for individuals and families who are experiencing homelessness or are at risk of homelessness. As Mr. Brady indicates, the department is estimating that it will be able to serve forty-three households on an annual basis through this program.

The attached memorandum from Jaclyn Falotico, Commissioner of Finance, details the necessary budget amendment.

I recommend your approval.

SCHENECTADY COUNTY
DEPARTMENT OF SOCIAL SERVICES



797 Broadway, Suite 301
Schenectady, NY 12305
518-388-4400
518-388-4644 (FAX)

PAUL J. BRADY
Commissioner

MEMORANDUM

[Handwritten signature]
TO: Rory Fluman, County Manager
FROM: Paul J. Brady
DATE: October 17, 2022
RE: Budget Amendment Request

On September 22, 2022, we received notification from the New York State Office of Temporary and Disability Assistance that our Rental Supplement Program (RSP) plan had been approved. As part of the RSP we were allocated \$536,305 which can be used for individuals/families who are experiencing homelessness or are at risk of homelessness. The program which we will contract out to Bethesda House for administration provides rental assistance for individuals/families with incomes at or below fifty percent of the area median income. The Rental Supplement Program will permit us to subsidize rents to the eighty-fifth percentile of the HUD Fair Market Rents for the area. We have estimated being able to serve forty-three households on an annual basis. Future operation of the program will be contingent on the appropriation of additional State funding to support the service.

I would respectfully request authorization to accept \$536,305 from the New York State Office of Temporary and Disability Assistance. I would ask that the 2022 Schenectady County Budget be amended to reflect the new revenue to be received by the Department A.3610 of \$536,305 and a corresponding increase of \$536.305 in a newly created expenditure line (A546010.4) Rental Supplement Program.

Thank you.

[Handwritten signature]



**Office of Temporary
and Disability Assistance**

KATHY HOCHUL
Governor

DANIEL W. TIETZ
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

September 22, 2022

Paul Brady
Commissioner
Schenectady County Department of Social Services
797 Broadway
Schenectady, NY 12305

Dear Commissioner Brady:

I am pleased to inform you that the Schenectady County Rental Supplement Program (RSP) plan has been approved effective September 22, 2022. Schenectady County will receive \$536,305 for the period beginning April 1, 2022, through March 31, 2023. Claiming instructions and deadlines are enclosed.

The terms of the plan are approved with the understanding that amendments to the plan may be granted only with approval from the Office of Temporary and Disability Assistance (OTDA). A copy of the approved plan is enclosed with this letter. Additional information regarding reporting requirements, including a report template, will be provided to your program managers.

I look forward to the success of your program. If you have any questions or need additional information regarding the RSP process, please contact the Temporary Assistance Unit at (518) 474-9344 or otda.sm.cees.tabureau@otda.ny.gov.

Sincerely,

Valerie Figueroa
Deputy Commissioner
Employment and Income Support Programs

cc: Alison Maura
Tracy Gatchell
Shannon Al-Jabi
Melissa Alexander
Joanne Hitchcock
Deidre Martin-LaMay
Michael Kendall

Enclosures



**Office of Temporary
and Disability Assistance**

KATHY HOCHUL
Governor

BARBARA C. GUINN
Executive Deputy Commissioner

Local Commissioners Memorandum

Section 1

Transmittal:	21-LCM-24
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	December 13, 2021
Subject:	New York State Rental Supplement Program
Contact Person(s):	Temporary Assistance Bureau (518) 474-9344 otda.sm.cees.tabureau@otda.ny.gov
Attachments:	<u>Attachment A – 2021-2022 Rental Supplement Program Allocation</u> <u>Attachment B – 2021-2022 Rental Supplement Program Plan</u>

Section 2

I. Purpose

The New York State Fiscal Year 2021-2022 Budget appropriates \$100 million to provide rental supplements to individuals and families, both with and without children, who are experiencing homelessness or are facing an imminent loss of housing, regardless of immigration status. The purpose of this Local Commissioners Memorandum (LCM) is to notify social services districts (districts) of the option to participate in the New York State Rental Supplement Program (RSP) and to provide 2021-2022 RSP allocations and general program guidance. Districts choosing to participate in the RSP must submit a 2021-2022 Rental Supplement Program Plan (Attachment B) for approval which details the intended use of their allocation as well as their anticipated RSP start date.

II. Background

The RSP is a program established to provide vital rental assistance to individuals and families, regardless of immigration status, who are experiencing homelessness or are facing an imminent loss of housing. The RSP is available to individuals and families both with and without children. Districts may choose to retain their allocation and use district mechanisms (e.g., direct administration or transfer of funds to county agencies) to operate this program or may delegate the administration of this program, in full or in part, to another public agency, contractor or non-profit organization. The RSP will give districts the flexibility to develop a program that meets the needs of their underserved populations while working within the framework of certain minimum eligibility requirements established by the governing statute.

III. Program Implications

A. Program Activities and Services

Districts choosing to participate in the RSP must submit a Rental Supplement Program Plan (Attachment B) to OTDA for approval that provides details regarding the administration of their local program and the intended use of their allocation. Districts are encouraged to complete and return Attachment B to OTDA as soon as possible, but no later than February 15, 2022. Supplements shall be made available in accordance with district plans, provided however that certain minimum eligibility requirements are established as outlined in this LCM.

Supplements provided through the RSP will not be part of the standard of need pursuant to Social Services Law §131-a, and therefore would not be considered by ABEL when computing financial eligibility for Temporary Assistance (TA) (e.g., the supplement is not used for TA eligibility when computing the needs or gross income tests). When computing a budget for a TA recipient who is receiving a supplement, the shelter cost must be removed from the budget provided that the supplement covers the entire shelter cost. In addition, RSP supplements shall not be subject to recoupment or repayment unless there is a determination that the application submitted was fraudulent, or otherwise identified as ineligible, and the application should not have been approved.

B. Program Eligibility and Program Requirements

While districts have flexibility regarding the development of a Rental Supplement Program Plan, the governing statute outlines some minimum requirements for participant eligibility as follows:

- Eligible participants are individuals and/or families, both with and without children, who are experiencing homelessness or facing an imminent loss of housing, regardless of immigration status;
- Households must earn no more than 50% of area median income (AMI) at the time of application based on location and household size, with initial priority given to households who earn no more than 30% of AMI;
- Rental supplement amounts shall be set at 85% of local Fair Market Rent (FMR) values with a district option to pay up to 100% of FMR using local funds;
- At least 50% of the supplements shall be allocated for households who are currently in a shelter or experiencing homelessness, unless sufficient demand does not exist for such households within the district;
- A household's financial contribution will be limited to 30% of their household's total earned and/or unearned income;
- Supplements are to be provided until the household's income reaches 30% or more of their monthly rent, at which point the housing will be considered affordable for the individual/family and the supplement will end; and,
- Receipt of TA is not a requirement for determining eligibility for the RSP.

Rental Supplement Program Plans must provide a comprehensive outline of each district's proposed program and must address, at minimum, the following:

1. Specific details regarding how eligibility for a rental supplement will be determined, including the aforementioned eligibility requirements, as well as any target populations identified;
2. Information regarding how contributions towards rental costs from individuals outside the household will be verified and what standards will be applied in determining whether such contributions can be sustained in the future;
3. An assessment of how the district will ensure that the rental costs are legitimate and are the responsibility of the recipient (e.g., lease or letter from landlord);
4. The process for which clients will be expected to advise the district/contracted agency of household changes and how resulting modifications will be handled (rent increases, changes in household composition, etc.);
5. A description of the forms and/or notices that will be used to facilitate the application and determination process. When households requesting a supplement do not meet the criteria

set forth in the district's plan, the denial/closing letter must support the decision by explaining the criteria and the district's decision that the household does not meet such criteria. An award letter must be provided to both the tenant and landlord and must detail the amount approved to be paid on a monthly basis, months/term included and any applicable tenant protections resulting from receipt of the RSP;

6. An explanation of whether there will be any health and safety standards that must be adhered to prior to paying rental supplements at a specific location; and,
7. A plan for ensuring that households do not receive duplicate benefits from other sources that may assist with paying future rent/ongoing rental supplements.

Eligibility is determined based on a household's current monthly income at the time of application. Applications are to be accepted on a first come, first-served basis according to the eligibility parameters set forth at the local level. While districts have flexibility in determining the overall design of their local RSP, they are encouraged to make extra efforts to ensure prioritization of certain households, such as those with children under the age of six, single individuals with a history of housing instability, veterans, individuals and families experiencing domestic violence (DV), and other victims of violence. Though TA eligibility is not a factor in determining eligibility for the RSP, operators are encouraged to refer RSP applicants for assistance applying for applicable benefit programs, such as TA, Home Energy Assistance Program (HEAP), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI).

Notifications regarding eligibility determinations (e.g., approvals, denials, and closings) must be maintained in the case record for a minimum of six years following submission of the final expenditure report.

C. Allocations

A total of \$100 million is available annually to support the RSP. While all funding is subject to legislative enactment each year, continuing funding support for the RSP is expected. The 2021-2022 RSP district allocations are listed in Attachment A and have been determined based on each district's relative share of TA households as of March 31, 2021, as well as the distribution of renter households under 30% of the local AMI, based on the US Census Bureau 2015-19 Public Use Microdata Sample. RSP allocations may be adjusted in future award years based on factors including statewide utilization and ongoing local rental supplement needs.

D. Reporting Requirements

Reports that describe the progress of RSP activities and households served will be required on at least a quarterly basis. A reporting format is under development and will be distributed to participating districts.

Minimally, reports must include information related to payments made through the RSP (e.g., dates issued, periods covered, households on behalf of which payments are made, payees, supplement amounts, local contribution to the subsidy (where applicable), etc.), the number of households served, and certain demographic information including receipt of TA, household size and composition, number of contributing household members, household income levels, shelter or homelessness status at the time of application, priority group identification (if applicable) and TA case number (if applicable). Districts must also establish identifiers for the heads of household (RSP applicants) as well as a unique household tracking number.

Coordination with the local HUD-funded Continuum of Care (CoC) is encouraged, in order to support each district's ability to track services and outcomes related to participation in the RSP. Additionally, coordination with the CoC will assist districts in avoiding a duplication of benefits with other supplement programs that may exist in each local area.

Districts and/or program operators, as applicable, are required to provide OTDA or its designees access to the program records during the course of the project. RSP projects will be monitored by OTDA on a regular basis and may include onsite visits as well as regular telephone contact and/or case reviews. The goal of monitoring is to ensure the terms of the RSP are being met in accordance with State legislation. In addition, monitoring enables OTDA to provide technical assistance, where necessary, to assist the district and/or program operator to meet the overall intent of the RSP. It is the responsibility of the district to monitor any and all subcontracts. Districts must ensure the confidentiality of records concerning project participants.

IV. Reimbursement Structure and Allowable Costs

RSP payments for the initial 12-month period will consist of an advance of 25 percent of the district's allocation. The remaining 75 percent of the allocation will be paid as claims are submitted to substantiate payment. Allocation and reimbursement for the second year, beginning 12 months following the district's approved initial commencement date but no sooner than December 1, 2022, will be contingent on continued availability of funds and local district need.

RSP funding is made available for districts to provide vital rental assistance to eligible households and as such, it is expected that a minimum of 85% of the funds will be used toward rental supplements in accordance with the guidelines outlined herein. OTDA has set a 15% spending limitation on administrative costs.

Agencies should limit the amount of administrative costs necessary to operate the RSP to maximize both the amount of funds available to pay rental supplements and the number of households enrolled. The use of RSP funds for administrative purposes must be directly related to the provision of rental supplements to eligible individuals and families.

For districts opting to assign all or a portion of their RSP allocation to another public agency, contractor or local nonprofit organization, districts will be held liable for assigned funds not used in a manner consistent with the purpose of the RSP allocation.

Districts are required to submit all claims for reimbursement through the Automated Claiming System (ACS) regardless of whether they elect to operate the program in-house or transfer the administration to another entity. RSP claims must be for services provided during the district's approved initial 12-month period and must be claimed in a timely manner after provided. Additional claiming information will be provided to districts who choose to operate an RSP.

V. Necessary Action

Districts who elect to receive this funding must also complete and submit the Rental Supplement Program Plan (Attachment B). Districts are encouraged to complete and return Attachment B to OTDA as soon as possible, but no later than February 15, 2022. Advances will be remitted following the approval of each district's Attachment B, and in accordance with their anticipated RSP commencement date.

Issued By:

Name: Barbara C. Guinn
Title: Executive Deputy Commissioner
Division/Office: Office of Temporary and Disability Assistance

District	2023-2025 Rental Supplement Program Allocation
New York City	\$67,822,380
Albany	\$1,125,750
Allegany	\$120,210
Broome	\$899,827
Cattaraugus	\$282,026
Cayuga	\$288,767
Cheautauqua	\$845,332
Chemung	\$280,178
Chenango	\$139,788
Clinton	\$240,580
Columbia	\$129,741
Cortland	\$141,026
Delaware	\$121,902
Dutchess	\$727,515
Erie	\$3,874,658
Essex	\$100,000
Franklin	\$164,265
Fulton	\$116,749
Genesee	\$143,364
Greene	\$116,986
Hamilton	\$100,000
Herkimer	\$154,408
Jefferson	\$402,505
Lewis	\$100,000
Livingston	\$180,065
Madison	\$120,038
Monroe	\$3,035,181
Montgomery	\$154,608
Nassau	\$2,028,284
Niagara	\$742,819
Oneida	\$857,848
Onondaga	\$1,916,038
Ontario	\$256,173
Orange	\$920,321
Orleans	\$144,298
Oswego	\$432,808
Otsego	\$125,940
Putnam	\$100,000
Rensselaer	\$497,493
Rockland	\$713,032
St. Lawrence	\$309,135
Saratoga	\$322,466
Schenectady	\$536,305
Schoharie	\$100,000
Schuyler	\$100,000
Seneca	\$100,000
Stauben	\$325,926
Suffolk	\$2,640,308
Sullivan	\$240,957
Tioga	\$124,850
Tompkins	\$461,767
Ulster	\$494,818
Warren	\$126,379
Washington	\$131,444
Wayne	\$193,050
Westchester	\$3,029,553
Wyoming	\$100,000
Yates	\$100,000

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Rory Fluman, County Manager
FROM: Jaclyn Falotico, Commissioner of Finance *JF*
DATE: October 25, 2022
SUBJECT: Budget Amendment – Rental Supplement Program Funding – Schenectady County
Department of Social Services

The New York State Office of Temporary and Disability Assistance has informed the County that the Rental Supplement Program plan was approved. The County was allocated \$536,305. The Department of Finance provides the following amendment to the 2022 Operating Budget to accommodate state funding associated with the Rental Supplement Program.

Establish Appropriation Code:

A546010.415613	Rental Supplement Program	<u>\$536,305</u>
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Establish Revenue Code By:

A36010.361020	State Aid – Rental Supplement Program	<u>\$536,305</u>
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I recommend that this budget amendment be presented to the Schenectady County Legislature for consideration.

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Health, Housing and Human Services
Dual Reference: Ways and Means
Initiative: HHHS 15

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DEPARTMENT OF HEALTH AIDS INSTITUTE/HEALTH RESEARCH, INC. FOR THE HIV PARTNER SERVICES AND STD DISEASE INTERVENTION PROGRAMS

Purpose and General Idea:

Provides Authorization to Accept Funding from NYSDOH AIDS Institute/Health Research, Inc. for the HIV Partner Services and STD Disease Intervention Program

Summary of Specific Provisions:

Authorizes the acceptance of funding in the amount of \$83,158 from the NYSDOH AIDS Institute/Health Research, Inc. NYSDOH AIDS Institute/Health Research, Inc.(NYSDOH AI/HRI) intends to provide Schenectady County Public Health (SCPHS) with enhanced funding for our HIV Partner Services and STD Disease Intervention Program.

Effects Upon Present Law:

None.

Justification:

This funding will be provided through a contract and will supplement the \$185,000/year we receive from NYSDOH. The annual amount of the contract will be \$199,580, the initial contract will run for five months from November 1, 2022, through March 31, 2023, and will be written for a prorated amount of \$83,158, thereafter, the contract period will be on 4/1-3/31 contract cycle

Sponsor: Legislator Ostrelich

Co-Sponsor:


COUNTY OF SCHENECTADY



RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature
From: Rory Fluman, County Manager 
CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Keith Brown, Interim Public Health Director
Date: October 28, 2022
Re: Authorization to Accept Funding from the NYS Department of Health AIDS Institute/Health Research, Inc. for the HIV Partner Services and STD Disease Intervention Program

Attached is a memorandum from Keith Brown, Interim Public Health Director, requesting authorization to accept funding from the NYS Department of Health AIDS Institute/Health Research, Inc. for the HIV Partner Services and STD Disease Intervention Program in the amount \$83,158. The period for this funding is from November 1, 2022 through March 31, 2023. If this funding continues, then the full annual amount will be \$199,580. This funding will support activities that aid in reducing STD incidence, decrease the rate of STI/HIV transmission, reduce risky behaviors among infected persons, link patients to resources and services, and notify and test exposed partners.

I recommend your approval.

SCHENECTADY COUNTY PUBLIC HEALTH SERVICES
INTER-OFFICE MEMO
2022

TO: *Rory Fluman, County Manager*
From: *Keith Brown, Interim Public Health Director*
RE: *Legislative Action – November Legislative Meeting*
Requesting Legislative Approval to Accept NYSDOH/HRI Funds
Copies: *Jacklyn Falotico, Commissioner of Finance*
Date: *October 6, 2022*

Dear Rory Fluman,

NYSDOH AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI) intends to provide Schenectady County Public Health Services (SCPHS) with enhanced funding for our HIV Partner Services and STD Disease Intervention Program. This funding will be provided through a contract with HRI and will supplement the \$185,000/year we receive from NYSDOH. The annual amount of the contract will be \$199,580. The initial contract will run for five months from November 1, 2022 – March 31, 2023 and will be written for a prorated amount of \$83,158. Thereafter, the contract period will be on a 4/1 – 3/31 contract cycle.

I am requesting approval to contract with NYSDOH AI/HRI to accept these funds. The long-term goal of this funding is to aid in reducing disease incidence, decrease the rate of STI/HIV transmission, reduce risky sexual and drug using behaviors among STI/HIV infected persons by applying harm reduction strategies to educate and link patients to services, increase the proportion of STI/HIV infected individuals who are aware of their status, and increase the proportion of exposed partners who are notified, tested, linked to prevention and treatment/medical care. I have attached the letter received from NYSDOH for your review. Thank you for your consideration of this request.

Sincerely,

Keith Brown, MPH
Interim Public Health Director



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

October 5, 2022

Keith Brown
Interim Public Health Director
Schenectady County Department of Health
107 Nott Terrace, Suite 100
Schenectady, New York 12308

Dear Keith Brown:

The New York State Department of Health AIDS Institute/Health Research, Inc. (NYSDOH AI/HRI) intends to establish a Partner Services Program (PS) contract with Schenectady County Department of Health (SCDOH). Activities supported under this funding represent collaboration between the NYSDOH and SCDOH. These entities will work together to facilitate the re-engagement in medical care of persons thought to be out-of-care living with HIV/AIDS, notify, test partners, and refer all HIV positive and high-risk negative patients they encounter through this initiative to appropriate prevention, care, and support services (e.g., referrals for PrEP and nPEP, HIV/STI testing, HCV screening, treatment adherence support), provide condoms/other safe sex supplies and conduct/provide sexual health education and/or campaigns.

The annual amount of the contract will be \$199,580. The initial contract will run for five months from November 1, 2022 – March 31, 2023; and will be written for a prorated amount of \$83,158. Thereafter, the contract period will be on a 4/1 – 3/31 contract cycle. The long-term goal of this initiative is to reduce disease incidence, decrease the rate of STI/HIV transmission, reduce risky sexual and drug using behaviors among STI/HIV infected persons by applying harm reduction strategies to educate and link patients to services, increase the proportion of STI/HIV infected individuals who are aware of their status, and increase the proportion of exposed partners who are notified, tested, linked to prevention and treatment/medical care.

Contingent upon the availability of future funding, the NYSDOH AI/HRI will continue to provide SCDOH funding in subsequent years for the continuation of PS activities. The contractual process will include the requirement of several approvals. Once all the approvals are obtained, the documentation will be submitted to Health Research Inc. to process the contracts. Health Research Inc. will forward the agreement to your organization for signature.

If you have any questions, please feel free to call me at (518) 473-7238.

Sincerely,

Michele Kerwin
Associate Director, Office of Administration & Contract Management
NYS Department of Health, AIDS Institute

cc: **Megan Johnson**, Director, Bureau of HIV/STI Field Services
Leah Caola, Director, Office of Administration & Contract Management



Schenectady County Legislature

Committee on Neighborhood Revitalization

Hon. Richard Ruzzo, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislato
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Neighborhood Revitalization
Honorable Richard Ruzzo, Chair
Tuesday, November 1, 2022 at 7:00 p.m
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsor
NR	2 A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CAPITAL REGION LAND BANK AND THE TOWN OF NISKAYUNA REGARDING VACANT OR ABANDONED PROPERTIES	Legislator Ruzzo	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Neighborhood Revitalization
Dual Reference:
Initiative: NR 2

Title of Proposed Resolution:

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CAPITAL REGION LAND BANK AND THE TOWN OF NISKAYUNA REGARDING VACANT OR ABANDONED PROPERTIES

Purpose and General Idea:

Provides Authorization to Enter into a Memorandum of Understanding between the Town of Niskayuna and the Capital Region Land Bank

Summary of Specific Provisions:

This resolution would authorize a Memorandum of Understanding for the collaboration between the Town of Niskayuna and the Capital Region Land Bank. As part of this agreement, the Land Bank would provide legal, technical assistance, and training to the Town of Niskayuna's Code Enforcement staff. This would assist the town in registering properties as vacant or abandoned quicker and correctly. This action along with NYS amending the Real Property Tax laws on foreclosed, abandoned, and vacant properties after one year of tax delinquency, will allow Niskayuna and the Land Bank to access these homes for repairs and eventually sell them. This program will result in lower costs for the county and if proven successful will be implemented in other municipalities.

Effects Upon Present Law:

None.

Justification:

This program will result in lower costs for the county and if proven successful will be implemented in other municipalities.

Sponsor: Legislator Ruzzo

Co-Sponsor:

COUNTY OF SCHENECTADY

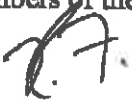


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Ray Gillen, Commissioner of Economic Development and Planning
David Hogenkamp, Metroplex Project Director

Date: October 28, 2022

Re: Authorization to Enter into a Memorandum of Understanding with the Town of Niskayuna and the Capital Region Land Bank

Attached is a memorandum from Ray Gillen, Commissioner of Economic Development and Planning, and David Hogenkamp, Metroplex Project Director, requesting authorization to enter into a Memorandum of Understanding with the Town of Niskayuna and the Capital Region Land Bank. As part of this agreement, the Land Bank will provide legal support, technical assistance, and training to the Town of Niskayuna's code enforcement staff. This will assist the Town of Niskayuna in registering properties as vacant or abandoned quicker and correctly. This action, along with New York State amending the Real Property Tax Law to allow for foreclosures on abandoned and vacant properties after one year of tax delinquency, will allow Niskayuna and the Land Bank to access these homes for repairs and eventually sell them. As Mr. Gillen and Mr. Hogenkamp indicate, this program will result in lower costs for the County and, if successful, will be implemented to the other municipalities.

I recommend your approval.



County of Schenectady
NEW YORK

Ray Gillen
Commissioner

**DEPARTMENT OF ECONOMIC DEVELOPMENT
AND PLANNING**

(518) 386-2225 FAX (518) 382-5539
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, New York 12308

Memo

To: Rory Fluman
From: Ray Gillen and David Hogenkamp
Date: October 14, 2022
Re: Memorandum of Understanding Town of Niskayuna and Capital Region Land Bank

The Capital Region Land Bank ("Land Bank") is administered by Metroplex as part of the County's unified economic development team. The Land Bank boosts neighborhoods across Schenectady County by helping to eliminate blighted "zombie" properties that negatively impact the quality of life in our neighborhoods.

The Land Bank recently received additional administrative support funding from New York State and we are deploying this funding to further our neighborhood revitalization efforts. Specifically, we are seeking to take advantage of new State Law, which passed with the support of Land Banks across New York including ours, that allows for a faster transfer of abandoned properties.

New York State amended Real Property Tax Law 1111-a to allow for abandoned or vacant properties to be foreclosed on after one year of tax delinquency instead of four years. It is important to point out this applies to abandoned properties only. By gaining access to these abandoned homes after one year it is much easier and much less costly to repair them than a house that has sat idle for four years.

The Land Bank has been developing a program to help towns and villages develop the code enforcement practices and policies that will allow the County to take action on vacant and abandoned properties using the new tools provided by changes in the State's Real Property Law.

Memo – County Foreclosure Policy on Abandoned Property
October 14, 2022
Page 2

We have developed a Memorandum of Understanding (“MOU”) between the Town of Niskayuna, Schenectady County and the Land Bank to get this new initiative moving forward. Under the terms of the MOU, the Land Bank will provide legal support and technical assistance to assist the Town of Niskayuna’s code enforcement staff to register properties as vacant or abandoned. Training will be provided so that the required notifications are carried out correctly and that a vacant property registry is created.

The end result will be quicker action on abandoned homes resulting in lower costs to the County for making municipalities whole on back taxes. In addition, we will be able to take faster action on zombie properties reducing blight in our neighborhoods. This program will be “tested” in Niskayuna and then rolled out to other towns and villages if approved by all parties.

Please let us know if you need more information.

DRAFT FOR DISCUSSION PURPOSES

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this "MOU") is entered into this _____ day of _____, 2022 (the "Effective Date"), by and between the Land Reutilization Corporation of the Capital Region, with an address of 433 State Street, Schenectady, NY ("Land Bank") and the County of Schenectady, with an address of 620 State Street, 6th Floor, Schenectady, NY, ("County"), and the Town of Niskayuna, with an address of One Niskayuna Circle, Niskayuna, New York 12309 ("Town") ("also individually referred to as "Party," and collectively "the Parties.")

WHEREAS, the Parties wish to collaborate to address vacant and abandoned properties in the Town of Niskayuna in Schenectady County, and

WHEREAS, the Parties desire to memorialize certain terms and conditions of their anticipated joint efforts and endeavors.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the Parties agree as follows:

1. **Purpose and Scope.** This MOU is an MOU between the Parties to work together in such a manner to encourage an atmosphere of collaboration and alliance in the support of an effective and efficient relationship to establish and maintain objectives and commitments with regards to all matters related to: (i) Zombie property enforcement pursuant to the New York State Actions and Proceedings Law ("RPAPL") §1308, §1309, and §1310; (ii) Article 19-a of the RPAPL to compel the conveyance of title to abandoned properties to the Town and ultimately to the Land Bank; (iii) Real Property Tax Law §1111-a (one year redemption period and Land Bank's right of first refusal); (iv) maintenance on properties on behalf of the town at Land Bank's discretion; and (v) miscellaneous provisions necessary for the Land Bank to implement the program (collectively, the "Program").

2. **Meeting and Expectation.** It would be expected that the Town's code enforcement officer(s) and Town Clerk will provide information as requested by, meet with and follow the procedure of the Land Bank's designated counsel – Whiteman Osterman & Hanna LLP ("WOH") – to implement the Program, as necessary. The Parties understand and agree that WOH represents the Land Bank exclusively and, that if any other Party wishes to retain WOH's services it would need to be by separate engagement letter and subject to all applicable rules governing conflicts.

3. **Real Property Tax Law §1111-a (one year redemption period and the Land Bank's right of first refusal).** The Program contemplates that the Town, with the assistance of WOH and the Land Bank, will:

A. Perform the necessary inspections of properties to be designated by the Land Bank.

- B. Upon completion of the inspections, the Code Enforcement Officer will execute an Affidavit determining that the identified properties are vacant/abandoned, as appropriate.
- C. The Affidavit will be filed by the Town with the Town Clerk and a Notice to the property owner will be prepared and served on the property owner per the NYS CPLR.
- D. The County will expedite the foreclosure process for the properties identified as eligible by the Town under RPTL §1111-a, and provide the Land Bank with a right of first refusal to obtain title to such properties from the County, as further detailed in Section 8F.

4. RPAPL §1308-1310 (NYS Zombie Property Law).

The Program contemplates that the Town, with the assistance of WOH and the Land Bank, will perform necessary inspections, execute all necessary forms/notices and commence all necessary proceedings pursuant to §1308-1310 of the RPAPL to require first line mortgage holders and servicers to inspect, secure and maintain vacant and abandoned properties within the Town, to be designated by the Land Bank.

5. RPAPL Article 19-a. The Program contemplates that the Town, with the assistance of WOH and the Land Bank, will:

- A. Execute all necessary forms and commence all necessary proceedings pursuant to Article 19-a of the RPAPL to obtain title to vacant and abandoned properties within the Town, to be designated by the Land Bank.
- B. Upon completion of the Article 19-a process, and obtaining title to the property(ies), the Town will transfer title to the property to the Land Bank at no or nominal cost, as further detailed in Section 8F, and any proceeds the Land Bank generates from the sale of the properties will be utilized for future vacant property work in the Town of Niskayuna.
- C. The County will be involved in such a way to potentially make the municipality whole for a year, or more, of unpaid taxes and fees, if necessary.

6. Maintenance of Vacant Properties per Town Code by Land Bank. The Program contemplates that the Town, with the assistance of the Land Bank and WOH, will:

- A. Identify vacant/abandoned properties in need of maintenance and repair, in the Land Bank's discretion.
- B. Prepare notices to property owners regarding necessary maintenance to properties and statements indicating the cost for such necessary work.

- C. If requested and retained by the Town per 139-22(B) of the Town Code, and in the Land Bank's discretion, the Land Bank will perform certain securing and maintenance activities to identified properties.
 - D. The costs incurred by the Town for such securing and maintenance work may be charged against the applicable property as a lien or shall be added to the tax roll as an assessment or shall be levied as a special tax against the property.
7. Miscellaneous. The Program contemplates that the Land Bank will perform and take other necessary actions to assist and facilitate the objectives and goals of the Program.
8. Objectives. The Parties agrees as follows:
- A. The Parties shall work together in a cooperative and coordinated effort so as to bring about the achievement and fulfillment of the purpose of this MOU.
 - B. It is not the intent of this MOU to restrict the Parties to this MOU from their involvement or participation with any other public or private individuals, agencies, or organizations.
 - C. The Parties shall mutually contribute and take part in any and all phases of the planning and development of the Program, to the fullest extent possible.
 - D. This MOU is not intended to create any rights, benefits, and/or trust responsibilities by or between the Parties.
 - E. This MOU shall in no way obligate any Party to supply funds to maintain and/or sustain the Program except that all WOH fees hereunder shall be paid by the Land Bank.
 - F. The Parties agree that properties identified and acquired pursuant to this MOU shall be subject to a right of First Refusal held by the Land Bank to acquire same for a nominal sum not to exceed \$1000 per parcel, Nothing in this agreement precludes the County from making the Town whole for taxes or fees generated prior to a foreclosure action on properties that are transferred through this MOU
9. Term. This MOU shall commence upon the Effective Date, as stated above, and will continue until terminated by any Party of the MOU.
10. Termination. This MOU may be terminated at any time by any Party upon thirty (30) days written notice to the other Party.
11. Representations and Warranties. The Parties represent that they are fully authorized to enter into this MOU. The performance and obligations of the Parties will not violate or infringe

upon the rights of any third-party or violate any other MOU between the Parties, individually, and any other person, organization, or business or any law or governmental regulation.

12. Indemnity. The Parties each agree to indemnify and hold harmless the other Parties, their respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from the negligence of or breach of this MOU by the indemnifying party, its respective successors and assigns that occurs in connection with this MOU. This section remains in full force and effect even after termination of the MOU by its natural termination or the early termination by either Party.

13. Limitation of Liability. UNDER NO CIRCUMSTANCES SHALL ANY PARTY BE LIABLE TO ANOTHER PARTY OR ANY THIRD PARTY FOR ANY DAMAGES RESULTING FROM ANY PART OF THIS MOU SUCH AS, BUT NOT LIMITED TO, LOSS OF REVENUE OR ANTICIPATED PROFIT OR LOST BUSINESS, COSTS OF DELAY OR FAILURE OF DELIVERY, WHICH ARE NOT RELATED TO OR THE DIRECT RESULT OF A PARTY'S NEGLIGENCE OR BREACH.

14. Conflicts of Interest and Counsel Fees

The Land Bank has designated and retained WOH to act as special counsel to the Land Bank, and has executed a standard retainer letter in that regard. The Land Bank will assume responsibility to pay WOH's legal fees.

It is also recognized that the County may be a required respondent in the Article 19-a proceeding and the parties to this MOU hereby agree to waive any future potential conflict of interest in this regard.

15. Severability. In the event any provision of this MOU is deemed invalid or unenforceable, in whole or in part, that part shall be severed from the remainder of the MOU and all other provisions should continue in full force and effect as valid and enforceable.

16. Waiver. The failure by either Party to exercise any right, power, or privilege under the terms of this MOU will not be construed as a waiver of any subsequent or future exercise of that right, power, or privilege or the exercise of any other right, power, or privilege.

17. Legal and Binding MOU. This MOU is legal and binding between the Parties as stated above. This MOU may be entered into and is legal and binding. The Parties each represent that they have the authority to enter into this MOU.

18. Governing Law and Jurisdiction. The Parties agree that this MOU shall be governed by the laws of the State of New York.

19. Entire MOU. The Parties acknowledge and agree that this MOU represents the entire MOU between the Parties. In the event that the Parties desire to change, add, or otherwise modify any terms, they shall do so in writing to be signed by both parties.

[signature page follows]

The Parties agree to the terms and conditions set forth above as demonstrated by their signatures as follows:

COUNTY OF SCHENECTADY

By: Rory Fluman
Its: County Manager
Date: October __, 2022

**LAND REUTILIZATION CORPORATION OF
THE CAPITAL REGION**

By: David Hogenkamp
Its: Executive Director
Date: October __, 2022

TOWN OF NISKAYUNA

By:
Its:
Date: October __, 2022



Schenectady County Legislature
Committee on Public Facilities, Transportation and Infrastructure
Hon. Richard Patierne, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305
Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Public Facilities
Honorable Patierne, Chair
Tuesday, November 1, 2022 at 7:00 p.m
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsors
PFTI	16 A RESOLUTION REGARDING AMENDMENTS TO A LEASE AGREEMENT WITH TIMBER HOLDINGS, LLC FOR WAREHOUSE/SHOP SPACE	Legislator Patierne	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Public Facilities, Transportation and Infrastructure
Dual Reference:
Initiative: PFTI 16

Title of Proposed Resolution:

A RESOLUTION REGARDING AMENDMENTS TO A LEASE AGREEMENT WITH
TIMBER HOLDINGS, LLC FOR WAREHOUSE/SHOP SPACE

Purpose and General Idea:

Provides authorization to Extend and Amend the Lease Agreement with Timber Holdings, LLC for space at 176 Erie Boulevard.

Summary of Specific Provisions:

Provides authorization to extend and amend the lease agreement with Timber Holdings, LLC for space at 176 Erie Boulevard. This extension has the same terms as the previous agreement, with a cost of \$869.63 per month for two years, and will commence on November 1, 2022 and expire on October 31, 2024.

Effects Upon Present Law:

None.

Justification:

This leased premises is used as storage and a workshop for our Facilities Office. The current lease agreement expires on October 31, 2022.

Sponsor: Legislator Patierne

Co-Sponsor:

COUNTY OF SCHENECTADY



RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager *R.F.*

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Christopher H. Gardner, County Attorney

Date: October 28, 2022

Re: Authorization to extend a Lease Agreement with Timber Holdings, LLC for the Property Located at 176 Erie Boulevard

Attached is a memorandum from Christopher H. Gardner, County Attorney, requesting authorization to extend a lease agreement with Timber Holdings, LLC for the property located at 176 Erie Boulevard in the City of Schenectady. The County currently has a lease agreement for this property for the Facilities Department who utilize it as a workshop. The extension period is from November 1, 2022, through October 31, 2024.

I recommend your approval.

**COUNTY OF SCHENECTADY
OFFICE OF THE COUNTY ATTORNEY
Inter-Department Correspondence Sheet**

To: Rory Fluman, County Manager

From: Christopher H. Gardner, County Attorney *CHG*

Copies to: Jackie Falotico, Deputy County Manager
Geoffrey Hall, Clerk of the Legislature
M. Joe Landry, Counsel to the Legislature
Stephen Luciano, Director of Facilities
Marylou Riddle, Executive Secretary to the County Manager

Dated: October 18, 2022

Re: Third Extension and Amendment of Lease Agreement Between Timber Holdings, LLC and the County of Schenectady for Workshop Space at 176 Erie Boulevard, Schenectady

I have attached a copy of the above-referenced Lease Amendment.

The proposed Extension is for two years commencing November 1, 2022 and ending October 31, 2024. The base rent is \$869.63 monthly for approximately 4,040 square feet (40' x 101'). The space is used as a Workshop for our Facilities Department. In Year Two, either party can terminate the Lease with thirty (30) days notice.

I recommend that this proposed Lease Extension be forwarded to the County Legislature for its consideration.

CHG/kah
Enclosure

Third Extension & Amendment of Lease Agreement

This Extension of a Lease Agreement is dated October __, 2022 between

TIMBER HOLDINGS, LLC, a Limited Liability Company with its principle place of business at 376 Broadway, Third Floor, Schenectady, NY 12305 as "Landlord," and,

THE COUNTY OF SCHENECTADY, a Municipal Corporation, with its offices at 620 State Street, Schenectady, NY 12305 as "Tenant"

WHEREAS, Landlord and Tenant entered into (1) a certain Lease Agreement dated November 12, 2019 ["Lease Agreement"] and which Lease commenced for a 12-month term on November 1, 2019, and (2) a certain Extension & Amendment of Lease Agreement dated December 2, 2020 ["Lease Amendment"] which Amendment commenced for a 12-month term on November 1, 2020 and (3) a Second Extension & Amendment of Lease Agreement dated September 10, 2021 ["Second Lease Amendment"] which Amendment commenced for a 12-month term on November 1, 2021 and

WHEREAS, said Lease Agreement and the Extension are for property located at 176 Erie Boulevard, Schenectady, New York, the Leased Premises being the rear first floor of 176 Erie, and consisting specifically of the space set forth in Exhibit A of the Lease Agreement ["Leased Premises"]; and

WHEREAS, the Leased Premises are presently occupied by the Tenant, and the Lease Term of the above Second extension will expire on October 31, 2022; and

WHEREAS, Landlord and Tenant desire to extend the Lease Agreement for an additional 24 months by the terms of this Third Extension and Amendment of Lease Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants between the Landlord and Tenant, the parties expressly agree as follows:

1. **Lease Term to be Extended:** The Tenant and Landlord will extend the Lease Term of the Lease Agreement for an additional 24 months to commence on November 1, 2022 and to end on October 31, 2024. This Extension is subject to paragraph 3 of this Third Extension. No further extensions of the Lease Term will be granted, except by an additional document executed by both Landlord and Tenant.

2. **Base Rent:** That the Base Rent for each month of this Third Extension will be \$869.63 monthly. As set forth in the Lease Agreement, this Base Rent amount is a gross rental sum with such Tenant payments of Operating Expenses as required by the Lease Agreement.

3. **Termination of the extended Lease Term:** Commencing November 1, 2023, both Landlord and Tenant shall have the right to terminate this extended Lease Term by giving the other party a 30-day notice. The 30-day notice is a written notification ["Lease Termination Notice"] of Landlord or Tenant's election to terminate the Term. It is agreed that (a) the Lease Termination Notice does not begin the 30-day time period on the date served; the 30-day time period begins on the 1st day of the next month after the Lease Termination Notice is served; and (b) the 30-day notice for termination of the extended Lease Term will terminate this Term on the last day of the month, even on those months with 28 or 31 days; and (c) the Lease Termination

Notice must be served personally on the County Attorney's Office if served by Landlord; or at Landlord's Office above if served by Tenant; and is effective the day delivered. Thereafter, the Lease Term terminates per these procedures, and the Landlord and Tenant are subject to the "End of Lease" provisions of the Lease Agreement.

4. All other terms, conditions and covenants of the Lease Agreement that commenced November 1, 2019 will continue in full force and affect, with the Lease Agreement amended as specified in this Third Extension Agreement. It is agreed by the Landlord and the Tenant that if any terms of the Lease Agreement are in conflict with any terms of this Third Extension, such conflict will be controlled by the terms of this Third Extension.

In Witness Whereof, the parties have interchangeably set their hand and seals to be affixed the date written.

Dated: October ____, 2022

Dated: October ____, 2022

Timber Holdings, LLC

County of Schenectady

By: John R. Roth, Member

By: Rory Fluman, County Manager

Approved as to form and content

this October ____, 2022

By: Christopher H. Gardner, County Attorney



Schenectady County Legislature

Committee on Public Safety and Firefighting

Hon. Thomas Constantine, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Public Safety and Firefighting
Honorable Thomas Constantine, Chair
Tuesday, November 1, 2022 at 7:00 p.m
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsors
PSF	21 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES FOR PRETRIAL SERVICES	Legislator Constantine	
PSF	22 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TERRORISM PREVENTION AND CYBER SECURITY PROGRAMS	Legislator Constantine	
PSF	23 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE PROGRAMS	Legislator Constantine	

Item	Title	Sponsor	Co-Sponsors
PSF	24 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR EMERGENCY MANAGEMENT EQUIPMENT AND PERSONNEL SERVICES	Legislator Constantine	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Public Safety and Firefighting
Dual Reference: Ways and Means
Initiative: PSF 21

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES FOR PRETRIAL SERVICES

Purpose and General Idea:

Provides Authorization to Accept Funding from The New York State Division of Criminal Justice Services for Pretrial Services.

Summary of Specific Provisions:

Authorizes the County to accept \$384,299 in funding from the New York State Division of Criminal Justice Services (DCJS) for Pretrial Services. The Probation Department would use this funding to purchase screening and assessment tools as well as expand its current pretrial supervision and reporting practices as provided in the enacted (SY 2022-223) NYS Budget for the period of April 1, 2022, through March 31, 2023.

Effects Upon Present Law:

None.

Justification:

This 2022-23 award is consistent with the appropriation amount enacted for this purpose in the State Budget and was determined based on an analysis of the five-year average of lower court arraignments in our county. This full award amount will be automatically disbursed to our county in one payment made by October 31, 2022. Additionally, it is important to note that the funding provided to the county herein must support certified pretrial services.

Sponsor: Legislator Constantine

Co-Sponsor:

COUNTY OF SCHENECTADY




RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Tim Ferrara, Director of Probation

Date: October 28, 2022

Re: Authorization to Accept Funding from the NYS Division of Criminal Justice Services for Pretrial Services

Attached is a memorandum from Tim Ferrara, Director of Probation, requesting authorization to accept funding from the NYS Division of Criminal Justice Services in the amount of \$384,299 to support pretrial services. The Probation Department would use this funding to purchase screening and assessment tools as well as expand its current pretrial supervision and reporting practices.

I recommend your approval.

MEMORANDUM

TO: Rory Fluman, County Manager
FROM: Tim Ferrara, Director Probation
RE: Legislative Action – October Legislative Meeting
Requesting Legislative approval to accept New York State funding in the amount of \$384,299, to support certified Pretrial Services in Schenectady County.
cc: Jaclyn L. Falotico, Commissioner of Finance
DATE: October 1, 2022

Schenectady County was awarded \$384,299 from The New York State Division of Criminal Justice Services (DCJS) to offset the costs associated with the provision of certified pretrial services, including but not limited to screening, assessments, supervision, and reporting as provided in the enacted (SFY 2022-23) New York State budget for the period April 1, 2022 through March 31, 2023.

This 2022-23 award is consistent with the appropriation amount enacted for this purpose in the State budget and was determined based on an analysis of the five-year average of lower court arraignments in our county. This full award amount will be automatically disbursed to our county in one payment made by October 31, 2022. It is important to note that the funding provided to the county herein must support certified pretrial services.

We respectfully request Legislature approval to accept this funding to support our costs and efforts in providing pretrial services to those arraigned in Schenectady County's lower courts. This funding will be used to acquire validated screening and assessment tools specific to this population and to explore and possibly expand our current pretrial supervision and reporting practices.



**Division of Criminal
Justice Services**

KATHY HOCHUL
Governor

ROSSANA ROSADO
Commissioner

YVONNE TURNER
Director of Funding

Grant Award Notice

September 29, 2022

Chairman, Board of Supervisors Anthony Jasenski
Schenectady County
620 State Street, 6th Floor
Schenectady, NY 12305

The New York State Division of Criminal Justice Services (DCJS) is pleased to advise you that your county will receive funding to offset the costs associated with the provision of certified pretrial services, including but not limited to screening, assessments, supervision, and reporting as provided in the enacted (SFY 2022-23) New York State budget for the period April 1, 2022 through March 31, 2023.

Project Name:	County Pretrial Services	Award Amount:	\$384,299
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Additional Information:

Your 2022-23 award is consistent with the appropriation amount enacted for this purpose in the State budget and was determined based on an analysis of the five-year average of lower court arraignments in your county. Rather than issuing your grant award through a DCJS grant contract for this funding, the full award amount will be automatically disbursed to the county in one payment made by October 31, 2022. It is important to note that the funding provided to the county herein must support certified pretrial services. Pursuant to Criminal Procedure Law § 510.45, the Office of Court Administration certifies one or more pretrial services agencies in each county and maintains a listing of such agencies on their public website at: <https://ww2.nycourts.gov/court-research/ListOfAgencies.shtml>.

Should you have any programmatic questions, please contact Nicole Aldi, DCJS Office of Probation and Correctional Alternatives' Program Manager at (518) 485-8457 or nicole.aldi@dcjs.ny.gov. If you have any fiscal questions, please contact the DCJS fiscal contact listed below. Thank you.

Nadia Rockwell
DCJS Associate Budgeting Analyst
NYS Division of Criminal Justice Services, Finance Office
(518) 485-0091 or nadia.rockwell@dcjs.ny.gov

CC: Robert M. Maccarone, Deputy Commissioner and Director of Probation
Nadia Rockwell, DCJS Finance
Timothy Ferrara, Probation Director

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Public Safety and Firefighting
Dual Reference: Ways and Means
Initiative: PSF 22

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TERRORISM PREVENTION AND CYBER SECURITY PROGRAMS

Purpose and General Idea:

Provides Authorization to Accept Funding from the NYS State Homeland Security and Emergency Services' FY2022 State Homeland Security Program.

Summary of Specific Provisions:

Provides authorization for Schenectady County to accept \$272,829 under the FY2022 State Homeland Security Program from the New York State Department of Homeland Security and Emergency Service. This funding would be used for emergency management and public health personnel. This grant period is from September 1, 2022, through August 31, 2025.

Effects Upon Present Law:

None.

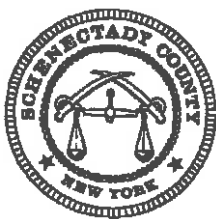
Justification:

These funds will be directed towards law enforcement terrorism prevention activities, cyber security, protection of soft targets and crowded spaces, intelligence, and information sharing, combating domestic violent extremism, community preparedness, and election security, as well as equipment to assist with information and intelligence sharing and upgrades to the UCC.

Sponsor: Legislator Constantine

Co-Sponsor:

COUNTY OF SCHENECTADY




RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Mark LaViolette, Director of Emergency Management

Date: September 28, 2022

Re: Authorization to Accept Funding from the NYS Department of Homeland Security and Emergency Services' FY2022 State Homeland Security Program

Attached is a memorandum from Mark LaViolette, Director of Emergency Management, requesting authorization to accept \$272,829 under the FY2022 State Homeland Security Program from the New York State Department of Homeland Security and Emergency Service. These funds are to be directed towards law enforcement terrorism prevention activities, cyber security, protection of soft targets and crowded spaces, intelligence and information sharing, combatting domestic violent extremism, community preparedness, and election security. As Mr. LaViolette indicates, Emergency Management will use these funds for Emergency Management and Public Health personnel, as well as equipment to assist with information and intelligence sharing and upgrades to the UCC. The grant period is from September 1, 2022, through August 31, 2025.

I recommend your approval.



County of Schenectady
NEW YORK

Mark LaViolette
Director

Office of Emergency Management

531 Liberty Street, Police Facility Building
Schenectady, New York 12305-2029

Phone (518) 370-3113
Fax (518) 370-3115

October 12, 2022

To: Rory Fluman

From: Mark LaViolette

Subject: FY2022 State Homeland Security Program

County Manager Fluman,

Attached is the award letter for Schenectady County's share in the FY2022 State Homeland Security Program. The total award for this year is \$272,829.

The FY2022 State Homeland Security Program will include funding for Emergency Management Planning Personnel and Public Health Planning Personnel. The County will also be purchasing new technology (deployable cameras, scanner) to assist with information and intelligence sharing and upgrades to the UCC.

Sincerely,

Mark LaViolette
Director



Homeland Security and Emergency Services

KATHY HOCHUL
Governor

JACKIE BRAY
Commissioner

September 26, 2022

**The Honorable Anthony Jasenski, Sr.
Chair, Schenectady County Legislature
620 State Street
Schenectady, NY 12305**

Dear Mr. Jasenski:

I am pleased to inform you that Schenectady County is awarded \$272,829 under the FY2022 State Homeland Security Program (SHSP), per the consensus agreement decided upon by your region. Funding for this grant is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA). The New York State Division of Homeland Security and Emergency Services (DHSES) will administer this funding on behalf of FEMA.

As per federal guidelines, at least 30 percent of the total award to the Albany-Schenectady-Troy Urban Area must be directed towards law enforcement terrorism prevention activities. These activities should be consistent with the efforts of your local Counter Terrorism Zone (CTZ). Federal guidelines also require that a minimum of 30 percent of your overall award must be allocated to support the following six priority areas: cyber security, protection of soft targets and crowded spaces, intelligence and information sharing, combatting domestic violence extremism, community preparedness and resilience, and election security. This must include a minimum of 3 percent allocated to support the protection of soft targets, intelligence and information sharing, combatting domestic violent extremism as well as community preparedness and resilience. These thresholds must be maintained throughout the entire period of performance for all SHSP awards. In addition, as a requirement of FY2022 SHSP federal funding, DHS/FEMA is requiring that all subrecipients complete the Nationwide Cyber Security Review (NCSR) by February 28, 2023.

Please be advised that under the FY2022 SHSP guidance, all subrecipients will be required to attend DHSES-sponsored event(s) associated with domestic terrorism prevention efforts which includes the development and submission of county domestic terrorism prevention plans to DHSES by December 31, 2022, pursuant to Executive Order 18.

The performance period for this grant is from September 1, 2022, through August 31, 2025. Grant extensions beyond this date are highly unlikely. DHSES grants management staff will work with your designated SHSP grant program point of contact to provide additional administrative guidance in executing this award.

Thank you for your continued support of New York State's homeland security efforts. DHSES remains committed to providing you with outstanding support in the administration of your homeland security programs. If you have any questions, please contact me at (518) 242-5000 or my Director of Grants Program Administration, Eric Abramson, at (518) 402-2123.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline Bray".

Jackie Bray
Commissioner

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Public Safety and Firefighting
Dual Reference: Ways and Means
Initiative: PSF 23

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE PROGRAMS

Purpose and General Idea:

Provides Authorization to Accept Funding from The NYS Department of Homeland Security and Emergency Services' FY 2020 Technical Rescue & Urban Search and Rescue Grant

Summary of Specific Provisions:

Authorizes the acceptance of the FY 2020 Technical Rescue & Urban Search and Rescue Grant from the NYS Division of Homeland Security and Emergency Services in the amount of \$64,753. This grant will provide support to our local emergency response teams. The performance period for this grant is from October 1, 2022, through August 31, 2023.

Effects Upon Present Law:

None.

Justification:

The NYS Department of Homeland Security and Emergency Services' FY 2020 Technical Rescue & Urban Search and Rescue Grant would support the purchase of equipment for the Schenectady and Plotterkill Fire Departments, training, exercises, and planning projects.

Sponsor: Legislator Constantine

Co-Sponsor:

COUNTY OF SCHENECTADY




RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Mark LaViolette, Director of Emergency Management

Date: September 28, 2022

Re: Authorization to Accept Funding from the NYS Department of Homeland Security and Emergency Services' FY2020 Technical Rescue & Urban Search and Rescue Grant

Attached is a memorandum from Mark LaViolette, Director of Emergency Management, requesting authorization to accept \$64,753 under the FY2020 Technical Rescue & Urban Search and Rescue Grant from the New York State Department of Homeland Security and Emergency Services. This funding will provide support to local emergency response teams. Specifically, this grant will fund equipment for the Schenectady and Ploterrkill Fire Departments, training, exercises, and planning projects. The grant period is from October 1, 2022, through August 31, 2023.

I recommend your approval.



County of Schenectady
NEW YORK

Mark LaViolette
Director

Office of Emergency Management

531 Liberty Street, Police Facility Building
Schenectady, New York 12305-2029

Phone (518) 370-3113
Fax (518) 370-3115

October 11, 2022

To: Rory Fluman

From: Mark LaViolette

Subject: FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant Program

County Manager Fluman,

Attached is the award letter for Schenectady County's share in the FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant. The total award for this year is \$64,753.

The FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant will include funding for equipment, training, exercises, and planning projects. This equipment will be used by Schenectady Fire Department's Confined Space Team (part of the HAZMAT team) and the Plotterkill FD's Rope Rescue Team.

Sincerely

Mark LaViolette
Director



Homeland Security and Emergency Services

KATHY HOCHUL
Governor

JACKIE BRAY
Commissioner

September 29, 2022

**The Honorable Anthony Jasenski, Sr.
Chair, Schenectady County Legislature
620 State Street
Schenectady, NY 12305**

Dear Mr. Jasenski:

I am pleased to announce that Schenectady County has been awarded \$64,753 in federal funding under the FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant Program. Funding for this initiative is provided by the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP) and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES). The performance period for this award is October 1, 2022 through August 31, 2023.

As outlined in your application, this funding is provided for local emergency response teams that provide technical rescue and USAR services through equipment, training, exercise, and planning projects.

Additionally, all capabilities developed through this federal FY2020 SHSP funding are required to be deployable regionally and nationally per the federal guidelines. All funding is subject to both New York State and federal guidelines and regulations. Finally, all training that is funded through this grant program must be submitted to DHSES within six (6) months of the date of this letter for review and approval.

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

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

Sincerely,

A handwritten signature in black ink that reads "Jacqueline Bray".

Jackie Bray
Commissioner

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Public Safety and Firefighting
Dual Reference: Ways and Means
Initiative: PSF 24

Title of Proposed Resolution:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR EMERGENCY MANAGEMENT EQUIPMENT AND PERSONNEL SERVICES

Purpose and General Idea:

Provides Authorization to Accept Funding from the NYS State Homeland Security and Emergency Services' Emergency Management Performance Grant.

Summary of Specific Provisions:

Authorizes the acceptance of the FY 2022 Emergency Management Performance Grant from the NYS Division of Homeland Security and Emergency Services in the amount of \$63,344, This grant will provide support for emergency management personnel, emergency equipment maintenance, and supplies. The performance period for this grant is from October 1, 2022, through September 30, 2024.

Effects Upon Present Law:

None.

Justification:

This would support efforts to build and sustain emergency management capabilities.

Sponsor: Legislator Constantine

Co-Sponsor:

COUNTY OF SCHENECTADY

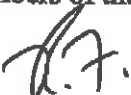


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Mark LaViolette, Director of Emergency Management

Date: October 28, 2022

RE: Authorization to Accept NYS Department of Homeland Security and Emergency Services' Emergency Management Performance Grant

Attached is a memorandum from Mark LaViolette, Director of Emergency Management, requesting authorization to accept the FY 2022 Emergency Management Performance Grant from the NYS Department of Homeland Security and Emergency Services in the amount of \$63,344. The performance period for this grant is from October 1, 2022 through September 30, 2024. These funds will be used to support Emergency Management Personnel, emergency equipment maintenance, and supplies.

I recommend your approval.



County of Schenectady
NEW YORK

Mark LaViolette
Director

Office of Emergency Management

531 Liberty Street, Police Facility Building
Schenectady, New York 12305-2029

Phone (518) 370-3113
Fax (518) 370-3115

October 11, 2022

To: Rory Fluman

From: Mark LaViolette

Subject: FY2022 Emergency Management Performance Grant

County Manager Fluman,

Attached is the award letter for Schenectady County's share in the FY2022 EMPG grant. The total award for this year is \$63,344.

The FY2022 Emergency Management Performance Grant will include funding for Emergency Management Personnel, emergency equipment maintenance, and supplies.

Sincerely,

Mark LaViolette
Director



Homeland Security and Emergency Services

KATHY HOCHUL
Governor

JACKIE BRAY
Commissioner

September 26, 2022

**The Honorable Anthony Jasenski, Sr.
Chair, Schenectady County Legislature
620 State Street
Schenectady, NY 12305**

Dear Mr. Jasenski:

I am pleased to inform you that Schenectady County is awarded \$63,344 under the FY2022 Emergency Management Performance Grant (EMPG). Funding for this grant is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA). The New York State Division of Homeland Security and Emergency Services (DHSES) will administer this funding on behalf of FEMA.

The performance period for this grant is from October 1, 2021 through September 30, 2024. DHSES grants management staff will work with your designated EMPG program point of contact to provide additional administrative guidance in executing this award.

Thank you for your continued support of New York State's homeland security efforts. DHSES remains committed to providing you with outstanding support in the administration of your homeland security programs. If you have any questions, please contact me at (518) 242-5000 or my Director of Grants Program Administration, Eric Abramson, at (518) 402-2123.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline Bray".

Jackie Bray
Commissioner



Schenectady County Legislature

Committee on Ways and Means

Hon. Philip Fields, Chair

6th Floor County Office Building 620 State Street, Schenectady, New York 12305

Phone: (518) 388-4280 Fax: (518) 388-4591

DATE: October 28, 2022
TO: Honorable Schenectady County Legislators
FROM: Geoffrey T. Hall, Clerk of the Legislature
SUBJECT: COMMITTEE AGENDA
Committee on Ways and Means
Honorable Philip Fields, Chair
Tuesday, November 1, 2022 at 7:00 p.m
Schenectady County Office Building,
Legislative Chambers, Sixth Floor

Item	Title	Sponsor	Co-Sponsors
WM	7 A RESOLUTION AUTHORIZING A MORTGAGE TAX DISTRIBUTION OF \$1,967,288.93 TO THE VARIOUS MUNICIPALITIES OF SCHENECTADY COUNTY FOR THE PERIOD APRIL 1, 2022 TO SEPTEMBER 30, 2022	Legislator Fields	
WM	8 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF BIDS RECEIVED AT PUBLIC AUCTION FOR SALE OF REAL PROPERTY OWNED BY THE COUNTY OF SCHENECTADY AND EXECUTION OF QUITCLAIM DEEDS	Legislator Fields	

Item	Title	Sponsor	Co-Sponsors
WM	9 A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH TRIAD GROUP, LLC FOR WORKER'S COMPENSATION SERVICES	Legislator Fields	
WM	10 A RESOLUTION REGARDING THE CANCELLATION OF INTEREST AND PENALTIES FOR A TAX DELINQUENCY OF A CERTAIN NOT-FOR-PROFIT CORPORATION	Legislator Fields	
PSF	21 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES FOR PRETRIAL SERVICES	Legislator Constantine	
PSF	22 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TERRORISM PREVENTION AND CYBER SECURITY PROGRAMS	Legislator Constantine	
PSF	23 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE PROGRAMS	Legislator Constantine	

Item	Title	Sponsor	Co-Sponsors
PSF	24 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR EMERGENCY MANAGEMENT EQUIPMENT AND PERSONNEL SERVICES	Legislator Constantine	
HHHS	14 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR THE SCHENECTADY COUNTY RENTAL SUPPLEMENT PROGRAM	Legislator Ostrelich	
HHHS	15 A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NYS DEPARTMENT OF HEALTH AIDS INSTITUTE/HEALTH RESEARCH, INC. FOR THE HIV PARTNER SERVICES AND STD DISEASE INTERVENTION PROGRAMS	Legislator Ostrelich	
EDP	18 A RESOLUTION CALLING FOR A PUBLIC HEARING TO CONSIDER AN EXTENSION TO A MULTI-YEAR LEASE AT THE SCHENECTADY COUNTY AIRPORT	Legislator Pratt	

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Ways and Means
Dual Reference: Ways and Means
Initiative: WM 7

Title of Proposed Resolution:

A RESOLUTION AUTHORIZING A MORTGAGE TAX DISTRIBUTION OF \$1,967,288.93 TO THE VARIOUS MUNICIPALITIES OF SCHENECTADY COUNTY FOR THE PERIOD APRIL 1, 2022 TO SEPTEMBER 30, 2022

Purpose and General Idea:

Provides Authorization to Distribute the Semi-Annual Mortgage Tax.

Summary of Specific Provisions:

Provides Authorization to Distribute the Semi-Annual Mortgage Tax.

Effects Upon Present Law:

Calculation of the Semi-Annual Mortgage Recording Tax Distribution to the City, Towns and Villages for the period of April 1, 2022 to September 30, 2022 has been completed by the County Clerk's Office and the Department of Finance.

The tentative distribution, pending State approval, is as follows:

Village of Delanson	\$ 2,275.57
Town of Duanesburg	81,591.99
Village of Scotia	37,681.42
Town of Glenville	384,207.38
Town of Niskayuna	425,300.40
Town of Princetown	30,232.73
Town of Rotterdam	468,066.46
City of Schenectady	537,932.98
Total	\$1,967,288.93

The Department of Finance requests legislative authorization to distribute \$1,967,288.93 in Mortgage Recording Tax to the municipalities within the County in the amounts identified above.

Justification:

Attached is a memorandum from Jaclyn Falotico, Commissioner of Finance, requesting authorization to distribute \$1,967,288.93 in semi-annual mortgage tax proceeds to the City, Towns, and Villages for the period of April 1, 2022 to September 30, 2022. Commissioner Falotico's memorandum details the revenue distribution to each municipality.

Sponsor: Legislator Fields

Co-Sponsor:

COUNTY OF SCHENECTADY



RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager *R.F.*

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Jaclyn Falotico, Commissioner of Finance

Date: October 28, 2022

Re: Semi-Annual Mortgage Tax Distribution

Attached is a memorandum from Jaclyn Falotico, Commissioner of Finance, requesting authorization to distribute \$1,967,288.93 in semi-annual mortgage tax proceeds to the City, Towns, and Villages for the period of April 1, 2022 to September 30, 2022. Ms. Falotico's memorandum details the revenue distribution to each municipality.

I recommend your approval.

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax



Memo

TO: Rory Fluman, County Manager
FROM: Jaclyn Falotico, Commissioner of Finance *JF*
CC: Cara Ackerley, County Clerk
Robert Zych, Director of Treasury Systems
DATE: October 25, 2022
SUBJECT: Semi-Annual Mortgage Recording Tax Distribution

Calculation of the Semi-Annual Mortgage Recording Tax Distribution to the City, Towns and Villages for the period of April 1, 2022 to September 30, 2022 has been completed by the County Clerk's Office and the Department of Finance.

The tentative distribution, pending State approval, is as follows:

Village of Delanson	\$ 2,275.57
Town of Duanesburg	81,591.99
Village of Scotia	37,681.42
Town of Glenville	384,207.38
Town of Niskayuna	425,300.40
Town of Princetown	30,232.73
Town of Rotterdam	468,066.46
City of Schenectady	<u>537,932.98</u>
Total	\$1,967,288.93

The Department of Finance requests legislative authorization to distribute \$1,967,288.93 in Mortgage Recording Tax to the municipalities within the County in the amounts identified above.

Schenectady County Mortgage Tax Distribution Amounts

	Time Period												April - Sept Yr	Yr % A		
	10/1/18 - 3/31/19	4/1/19-9/30/19	10/1/19-3/31/20	4/1/20 - 9/30/20	10/1/20-3/31/21	4/1/21-9/30/21	10/1/21-3/31/22	4/1/22-9/30/22	\$ A							
Municipality																
Village of Delanson	\$ 1,482.95	\$ 2,029.97	\$ 2,108.51	\$ 2,454.47	\$ 3,449.72	\$ 3,359.42	\$ 6,336.92	\$ 2,275.27	\$ 1,084.15							
Town of Dutchessburg	\$ 52,384.73	\$ 66,232.80	\$ 74,894.59	\$ 87,183.48	\$ 122,904.84	\$ 119,687.75	\$ 227,214.35	\$ 81,591.99	\$ (38,095.76)							
Village of Scotia	\$ 23,721.73	\$ 34,459.16	\$ 22,576.12	\$ 46,522.94	\$ 50,894.12	\$ 60,398.87	\$ 53,049.51	\$ 37,681.42	\$ (22,717.45)							
Town of Glenville	\$ 242,270.81	\$ 323,506.03	\$ 229,954.71	\$ 473,864.96	\$ 521,646.89	\$ 619,188.98	\$ 540,903.52	\$ 394,207.38	\$ (194,523.51)							
Town of Niskayuna	\$ 361,575.48	\$ 399,725.53	\$ 274,279.35	\$ 486,164.28	\$ 511,870.57	\$ 619,823.71	\$ 519,444.95	\$ 425,360.40	\$ (194,523.51)							
Town of Princetown	\$ 18,715.27	\$ 29,523.29	\$ 29,398.98	\$ 29,122.22	\$ 54,106.54	\$ 46,847.00	\$ 31,439.08	\$ 30,232.73	\$ (16,614.27)							
Town of Rotterdam	\$ 427,005.78	\$ 359,548.22	\$ 391,724.95	\$ 530,579.86	\$ 579,028.18	\$ 563,573.18	\$ 869,290.73	\$ 468,066.46	\$ (95,506.72)							
City of Schenectady	\$ 337,271.93	\$ 317,574.49	\$ 324,347.15	\$ 294,869.11	\$ 458,965.22	\$ 583,650.72	\$ 641,959.53	\$ 537,932.98	\$ (45,717.74)							
Total	\$ 1,459,428.68	\$ 1,523,599.59	\$ 1,349,284.37	\$ 1,950,760.72	\$ 2,302,856.08	\$ 2,616,529.63	\$ 2,889,638.49	\$ 1,967,288.63	\$ (689,241.00)							

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Ways and Means
Dual Reference: Ways and Means
Initiative: WM 8

Title of Proposed Resolution:

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF BIDS RECEIVED AT PUBLIC AUCTION FOR SALE OF REAL PROPERTY OWNED BY THE COUNTY OF SCHENECTADY AND EXECUTION OF QUITCLAIM DEEDS

Purpose and General Idea:

Provides Authorization to Sell County-Owned Property Pursuant to the Terms and Conditions of the October 21, 2022 Public Auction.

Summary of Specific Provisions:

As Finance Commissioner Jaclyn Falotico, memorandum states, these properties were acquired through tax delinquency and the foreclosure process. The auction ran from September 23, 2022 and ended October 21, 2022, the Finance Department held a public auction of county-owned properties acquired through tax delinquency and foreclosure. The auction contained 18 parcels, all of which sold.

Effects Upon Present Law:

The Schenectady County Department of Finance held its first online auction of properties acquired through the County's tax delinquency and foreclosure process. The auction began September 23rd and ended October 21, 2022 and contained 18 parcels, all of which sold.

As Paul Romano, Director of Real Property Tax Service Agency, indicates in the attached memorandum, sale proceeds for the auction totaled \$1,023,000 and will be used to offset tax delinquencies associated with the foreclosed properties. The total amount receivable for the auctioned properties totaled \$602,800.35 which results in a net gain of \$420,199.65 to the County.

A listing is attached providing details relating to the properties auctioned by the County, the name of the winning bidder, and the winning bid price for each parcel. The Department of Finance respectfully requests legislative authorization to accept the bids and finalize the sale of the properties.

Justification:

Sale proceeds for the auction totaled \$1,023,000 and will be used to offset the tax delinquencies associated with the foreclosed properties sold at the auction.

Sponsor: Legislator Fields

Co-Sponsor:

COUNTY OF SCHENECTADY

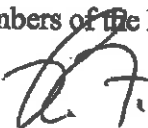


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Jaclyn Falotico., Commissioner of Finance
Paul Romano, Director of Real Property Tax Service Agency

Date: October 28, 2022

Re: Authorization to Sell County-Owned Property Pursuant to the Terms and Conditions of the October 21, 2022 Public Auction

From September 23, 2022, through October 21, 2022 the Finance Department held its first online public auction of County owned properties acquired through the foreclosure procedures. Of the initial 44 properties that went out for bid, 26 properties were redeemed, with a final 18 properties offered for sale.

All properties sold resulted in a total bid sale of \$1,023,000. The proceeds from the auction are used to offset prior delinquencies owed on these properties. The total net gain for the County as a revenue will be \$420,199

The attached listing details the properties auctioned, bidder's name and bid price for each of the properties that received bids.

As set forth in the Public Auction's Terms and Conditions of Sales, I am requesting authorization from the County Legislature to accept the bids set forth and finalize the sale of the 18 properties to the highest bidder resulting in the properties return to the tax rolls.


This was a very successful auction. I recommend your approval.

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Rory Fluman, County Manager

FROM: Jaclyn Falotico, Commissioner of Finance 

CC: Paul Romano, RPTSA Director
Robert Zych, Director of Treasury Systems

DATE: October 25, 2022

SUBJECT: 2022 Tax Foreclosure Auction Results

The Schenectady County Department of Finance held its first online auction of properties acquired through the County's tax delinquency and foreclosure process. The auction began September 23rd and ended October 21, 2022 and contained 18 parcels, all of which sold.

As Paul Romano, Director of Real Property Tax Service Agency, indicates in the attached memorandum, sale proceeds for the auction totaled \$1,023,000 and will be used to offset tax delinquencies associated with the foreclosed properties. The total amount receivable for the auctioned properties totaled \$602,800.35 which results in a net gain of \$420,199.65 to the County.

A listing is attached providing details relating to the properties auctioned by the County, the name of the winning bidder, and the winning bid price for each parcel. The Department of Finance respectfully requests legislative authorization to accept the bids and finalize the sale of the properties.

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Jaclyn Falotico, Commissioner of Finance

FROM: Paul Romano, Director
Real Property Tax Service Agency

CC: Robert Zych, Director of Treasury Systems

DATE: October 25, 2022

SUBJECT: 2022 Schenectady County Public Auction – Successful Bidders

The Finance Department held an online public auction of properties acquired through tax foreclosure. The live bidding ended on October 21, 2022. Of the 18 properties offered for sale, the County received bids on all 18 resulting in a total bid sale of \$1,023,000. The proceeds will be used to offset prior delinquencies owed on these properties.

The total receivable owed on the 18 parcels totaled \$602,800.35 which resulted in a net gain of \$420,199.65 to the County.

The attached listing details the properties auctioned, winning bidder's name and winning bid price for each property.

As set forth in the Public Auction's Terms and Condition of Sale, we are requesting authorization from the County Legislature to accept the bids set forth and finalize the sale of the 18 properties.

Thank you for your consideration.

Enclosures

**2022
SCHENECTADY COUNTY
PUBLIC AUCTION
BIDDER'S LIST**

LOT #	SBL/ADDRESS	BIDDER	WINNING SALE PRICE
<u>VILLAGE OF DELANSON</u>			
1	75.27-2-9 - 140 Elm St	Junaid Choudhary	\$ 20,000.00
2	75.28-1-1 - 1794-1796 Main St	Urbancasche LLC	\$ 6,000.00
<u>TOWN OF DUANESBURG</u>			
6	68.00-1-19 - 2685-2695 Western Tpke	Theresa Nowicki	\$ 65,000.00
7	75.00-2-11.12 - 1505 Thousand Acre Rd	Hermant Thakoordial	\$ 28,000.00
8	75.12-1-6 - Main St	Thomas Newell	\$ 3,000.00
9	75.12-1-7 - 10218 Duanesburg Rd	Angelina Masa	\$ 92,000.00
<u>TOWN OF GLENVILLE</u>			
11	9.20-1-1.11 - Saratoga Rd	William Wells	\$ 59,333.34
12	15.8-3-27.1 - 591 Saratoga Rd	William Wells	\$ 59,333.33
13	15.8-3-29.11 - 582 Saratoga Rd	William Wells	\$ 59,333.33
15	15.3-4-11 - 44 Onderdonk Rd	Roger Halbfinger	\$ 92,000.00
18	38.11-6-6 - 513 Elliott St	Urbancasche LLC	\$ 30,000.00
<u>TOWN OF NISKAYUNA</u>			
28	50.15-3-23 - Hexam Rd	Stephen Martin	\$ 7,000.00
<u>TOWN OF PRINCETOWN</u>			
33	57.03-2-6 - 397 Birchwood Dr	Scott Fyvie	\$ 102,000.00
<u>TOWN OF ROTTERDAM</u>			
38	48.20-7-21 - 2112 Gray St	DULA Capital LLC	\$ 87,000.00
40	49.19-7-6 - 210 Chism Rd	Moen Ibrahim	\$ 51,000.00
41	59.5-5-18 - 1906 Nicky Dr	DULA Capital LLC	\$ 81,000.00
44	59.14-5-6 - 1101 Outer Dr	Yevgeniy Sandul	\$ 106,000.00
47	49.19-3-11 - 1840 Van Cortlandt St	Gary DiCocco	\$ 75,000.00
TOTAL \$			<u>1,023,000.00</u>

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Ways and Means
Dual Reference: Ways and Means
Initiative: WM 9

Title of Proposed Resolution:

A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH TRIAD GROUP, LLC FOR WORKER'S COMPENSATION SERVICES

Purpose and General Idea:

Provides authorization to renew a Multi-Year Contract with Triad, LLC to provide Workers Compensation Third Party Administration Services

Summary of Specific Provisions:

Authorizes the renewal of a 3-Year Contract with Triad, LLC, our administrator of our employee Workers compensation services. Triad coordinates our financial risk management program by managing total risk exposure, coordinating claims management, addressing managed care issues, and provides excellent service to the County.

Effects Upon Present Law:

None.

Justification:

Schenectady County has utilized Triad since 2013 as a third party administrator for Workers' Compensation claims.

Sponsor: Legislator Fields

Co-Sponsor:

COUNTY OF SCHENECTADY

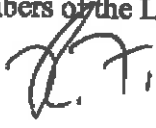


RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature

From: Rory Fluman, County Manager 

CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Christopher H. Gardner, County Attorney

Date: October 28, 2022

Re: Authorization to renew a Multi-Year Contract with Triad, LLC to provide
Workers Compensation Third Party Administration services

Attached is a memorandum from Christopher H. Gardner, County Attorney, requesting authorization to renew a three-year contract with Triad, our administrator of our employee Workers compensation services. Triad coordinates our financial risk management program by managing total risk exposure, coordinating claims management, addressing managed care issues, and provides excellent service to the County.

I recommend your approval.

**COUNTY OF SCHENECTADY
OFFICE OF THE COUNTY ATTORNEY
Inter-Department Correspondence Sheet**

To: Rory Fluman, County Manager

From: Christopher H. Gardner, County Attorney *CHG*

Copies to: Jackie Falotico, Deputy County Manager
Geoffrey Hall, Clerk of the Legislature
M. Joe Landry, Counsel to the Legislature
Joseph McQueen, Director of Human Resources
Dennine LaPlante, Deputy Director of Human Resources
Marylou Riddle, Executive Secretary to the County Manager

Dated: October 28, 2022

Re: Proposed Three (3) Year Contract Renewal with Triad Group, LLC to provide Workers' Compensation Third-Party Administration (TPA) Services for the period July 1, 2022

I have attached a copy of a proposed Three (3) Year Contract Renewal with Triad Group, LLC to provide Workers' Compensation Third Party Administration Services to Schenectady County. Triad also processes claims under General Municipal Law Section 207-c as well as disability retirement claims for the County.

Schenectady County has utilized Triad since 2013 as a third-party administrator for Workers' Compensation claims, §207-c GML claims and disability retirement claims.

The annual administration fee is \$100,000.00 for the first 110 claims. After that, there is an additional \$400 charge per claim. Additionally, Triad receives:

- 28% of PPO Savings
- \$3,000 annually for MMSEA reporting

This Agreement executed on the 1st Day of August, is made between the County of Schenectady with its principal office located at 620 State Street Schenectady, New York 12305 (hereinafter SCHENECTADY) and Triad Group, L.L.C, having its office at 400 Jordan Road, Troy NY 12180 (hereinafter TRIAD).

Article 1. Term and Termination

- 1.1. The initial term of this agreement shall be July 1, 2022 through June 30, 2025, and SCHENECTADY has the option to renew this agreement annually, following the expiration of the initial term above.
- 1.2. SCHENECTADY shall notify TRIAD no less than 30 days prior to the end of the initial term and any successive term of its intent to not renew this contract. If SCHENECTADY does not notify TRIAD of its intent to non-renew, the contract shall automatically renew for another one-year term, subject to the limitation of terms in Section 1.1 of this agreement.
- 1.3. Following the initial term, either party may terminate this agreement for its convenience with no less than ninety (90) days-notice to the other party of its intent to terminate.
- 1.4. Following ten (10) days' notice to the other party and an opportunity to cure within those ten (10) days, either party may terminate this agreement at any time for a material breach of this agreement.
- 1.5. SCHENECTADY may immediately terminate this agreement:
 - 1.5.1. Upon the insolvency of TRIAD including commencement of involuntary bankruptcy proceedings against TRIAD;
 - 1.5.2. Failure of TRIAD to maintain any required license in good standing;
 - 1.5.3. Any incident of employee theft or dishonesty (as those terms are defined by standard NY issued bonds to cover such acts) by any employee of TRIAD, if SCHENECTADY is not made whole by TRIAD or its insurance carrier;
 - 1.5.4. Any audit finding that identifies material inconsistencies in TRIAD recordkeeping;
 - 1.5.5. Failure to maintain any of the insurance or bonds as required by this agreement;

- 2.2.3. Fees to attorneys and licensed representatives for services in connection with any Workers' Compensation proceedings or Workers' Compensation Appeal Board actions or as awarded by the Workers' Compensation Board;
 - 2.2.4. Fees to physicians and surgeons, laboratories, clinics and hospitals for examination or treatment of employees;
 - 2.2.5. The cost of surveillance;
 - 2.2.6. The cost of employing experts for the purpose of appraisals, survey, map preparation, diagrams, chemical or physical analysis or the solicitation of expert advice or opinions in involved chemical, physical or legal questions, accountants forensic accountants;
 - 2.2.7. The cost of copies of transcripts or proceedings;
 - 2.2.8. The cost of depositions and court reporter or recorded statements and other similar costs and expenses;
 - 2.2.9. The cost of copying of hospital and medical records;
 - 2.2.10. The cost of Medicare Set Asides and Medicare lien searches;
 - 2.2.11. Medical bill review and medical bill clearing house fees, 12% of savings plus \$1.00 per bill fee for required clearing house.;
 - 2.2.12. ISO searches; and
 - 2.2.13. Banking charges and fees.
- 2.3. "Claim": Any incident that could, in TRIAD's judgment, result in the SCHENECTADY's legal obligation to pay benefits pursuant to the applicable statutory scheme of benefits and for which TRIAD has received a report from SCHENECTADY. Claims shall also include any fee paid at the direction of the SCHENECTADY that, in TRIAD's judgment, SCHENECTADY is not legally obligated to pay.
- 2.4. "Client Adjustment File": Documentation of claim adjustment process from any single incident involving one or more claimants and containing all relevant activity records including notices, investigations, evaluation and payments.

Article 4. Risk Data Reporting

The risk data obtained and received by TRIAD will be processed into risk data management reports.

- 4.1. **Ownership of Materials:** All materials and data collected and created by TRIAD in performance of its duties and obligations under this Service Agreement shall belong to, and remain as property of SCHENECTADY.
- 4.2. **Client Accessibility to Data:** Upon execution by SCHENECTADY of requisite information and Security Policy, TRIAD shall make available to SCHENECTADY, at the request of SCHENECTADY, online access to its claim data through its standard online access interface. All data shall be available and reviewable in TRIAD's then standard format at all times, other than during periods of routine maintenance of TRIAD's system, notice of which SCHENECTADY shall receive at least twenty-four (24) hours in advance. SCHENECTADY shall be responsible for any necessary hardware and bandwidth necessary to access said system.
- 4.3. **Protection of Data:** TRIAD shall make all reasonable efforts to insure the availability of the risk data and associated images via its then current system.
 - 4.3.1. TRIAD shall, at all times, follow its "disaster recovery protocols."
 - 4.3.2. If TRIAD believes that an unplanned failure of systems shall last more than twenty-four (24) hours, it shall promptly notify the SCHENECTADY by reasonable means of communication the nature of the outage cause and its best estimate for restoration of the system.
 - 4.3.3. TRIAD shall be responsible for any fines or penalties imposed by any federal, state or local government or agency that are directly caused by its inability to administer claims due to system failure.
- 4.4. **Privacy of Data:** TRIAD will take reasonable efforts to ensure the confidentiality of data used in the performance of this Service Agreement. TRIAD will not disclose SCHENECTADY data or records to any third party without the written consent of SCHENECTADY, unless such disclosure is required by a lawful subpoena.

- 6.2.3. \$3,000 annually MMSEA reporting.
- 6.2.4. \$2,500 annually for OSHA/DOSH reporting.
- 6.2.5. Bill Review and clearing house fees per ALAE definition, if services are provided by Triad.
- 6.2.6. Nurse Case Management (NCM):
 - 6.2.6.1. Non-207 - \$95 monthly per claim;
 - 6.2.6.2. 207 - \$285 per claim for the initial month, then \$175 per claim per month thereafter.
- 6.2.7. PAR responses: \$125 per response.
- 6.2.8. SCHENECTADY hereby acknowledges and agrees that TRIAD leadership has disclosed its relationship with MarTor, LLC and authorizes TRIAD and its principals to collect and receive both revenue and profits which it may realize after selling / renting durable medical equipment and necessary supplies to plan claimants whenever authorized by the SCHENECTADY.

Article 7. Conditions and Limitations

- 7.1. Audit and Inspection: SCHENECTADY has the right to inspect and audit claim adjustment files or any matter covered by this service agreement with at least 5 business days' advance notice to TRIAD.
 - 7.1.1. Only an employee of SCHENECTADY, a Certified Public Accounting Firm, Counsel or a Consultant of SCHENECTADY's choosing or an Excess Loss/Liability insurance company shall conduct any such inspection or audit.
 - 7.1.2. SCHENECTADY will pay the costs of any such inspection or audit, but shall not be charged for system access time for its auditor. The right to audit shall survive the termination of this agreement for two years.
- 7.2. Neither this Service Agreement nor any rights hereunder shall be assigned by either party without first obtaining the prior written consent of the other party.
- 7.3. The laws of the State of New York (without regard to choice of law principles) shall govern the terms of this Service Agreement. Any dispute between the parties shall

7.9. All notices to be given pursuant to this Service Agreement shall be in writing, and shall be deemed to have been duly given when personally delivered or when mailed by United States certified first-class mail, postage prepaid to the following addresses:

Client:
County of Schenectady
620 State Street
Schenectady, New York 12305

Triad:
Triad Group, LLC
400 Jordan Road,
Troy, New York 12180
Attn: Victoria Manes

7.10. Any delay in, or failure to comply with, the stated performance of a contract by TRIAD shall not constitute default or give rise to claims for damages if such delay or failure is caused by events beyond our control. These events shall include, but not be limited to:

7.10.1. Acts of God or the public enemy,

7.10.2. Expropriation or confiscation of facilities,

7.10.3. Compliance with any governmental authority,

7.10.4. Acts of war, rebellion or sabotage,

7.10.5. Embargoes or other export restrictions,

7.10.6. Fire, flood, explosions, accidents, breakdowns, riots or strikes and other concerted acts, direct or indirect, of workmen, or

7.10.7. Any other causes not within the direct control of TRIAD and which, by the exercise of reasonable diligence, TRIAD is unable to prevent or mitigate.

9.3.1. TRIAD shall issue checks on check stock held by TRIAD or its subcontractor.

9.3.2. SCHENECTADY and TRIAD hereby covenant that the layout format of said checks is agreeable to both parties.

9.4. TRIAD shall be responsible for reconciliation of the bank account and any banking charges related to the proper management of this account.

Article 10. Modification and Severability

10.1. This agreement, including Schedule I hereto, constitutes the entire agreement between the parties. No parol evidence shall be admissible to consider the intent of the parties

10.2. This agreement shall only be modified in writing signed by both parties with the same formalities as the original agreement.

10.2.1. Any written authorization or approval required by provided by this contract may be conveyed by the electronic media of email or fax.

10.2.2. Any notice required by this agreement shall be provided in writing. The notifying party may, but is not required to, send a courtesy copy via fax message in addition to a mailed copy of the required notice. For purposes of this subsection "mail" means the United States Postal Service or other common carrier that provides tracked delivery services to both parties' official addresses.

LEGISLATIVE INITIATIVE FORM

Date: 10/28/2022
Reference: Ways and Means
Dual Reference: Ways and Means
Initiative: WM 10

Title of Proposed Resolution:

A RESOLUTION REGARDING THE CANCELLATION OF INTEREST AND PENALTIES FOR A TAX DELINQUENCY OF A CERTAIN NOT-FOR-PROFIT CORPORATION

Purpose and General Idea:

Provides Authorization to Forgive Interest and Penalties for Property Owned by Living Resources Corp.

Summary of Specific Provisions:

Authorizes the forgiveness of interest and penalties for the property of 11 Garnet Lane in Scotia, NY owed by the nonprofit organization Living Resources. The tax delinquency is from the 2017-2018 tax bills owing \$25,024.10, forgiving the interest and penalties would reduce that amount to \$15,934.06.

Effects Upon Present Law:

None.

Justification:

This issue is typically resolved through the Correction of Errors procedures, but this issue has exceeded the 3-year statute of limitations, and as such requires action by the County to cancel the \$9,090.04 in interest and penalties associated with this error.

Sponsor: Legislator Fields

Co-Sponsor:

COUNTY OF SCHENECTADY



RORY FLUMAN
COUNTY MANAGER

OFFICE OF THE COUNTY MANAGER
620 STATE STREET
SCHENECTADY, NEW YORK 12305

TELEPHONE: (518) 388-4355
FAX: (518) 388-4590

To: Honorable Chairperson and Members of the Legislature
From: Rory Fluman, County Manager *RF*
CC: Geoffrey T. Hall, Clerk of the Legislature
Alissa Foster, Deputy Clerk of the Legislature
Jaclyn Falotico, Commissioner of Finance
Date: October 28, 2022
RE: Authorization to Forgive Interest and Penalty for Property Owned by Living Resources Corp.

Attached is a memorandum from Jaclyn Falotico, Commissioner of Finance, requesting authorization to forgive interest and penalties for property owned by Living Resources Corp. While this organization is considered a tax-exempt entity, they mailed their exemption application paperwork to the wrong location. As a result, the not for profit was issued a 2017 Town School, 2018 Town & County, and a 2018 Village tax bill for their property located at 11 Garnet Lane in the Village of Scotia. While this is an issue that is usually resolved through the Correction of Errors procedures, this issue exceeds the 3-year statute of limitations. As such, the only action the County can perform is to cancel the \$9,090.04 in interest and penalties associated with this error.

The attached memorandum from Jaclyn Falotico, Commissioner of Finance, details the necessary actions.

I recommend your approval.

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Rory Fluman, County Manager

FROM: Jaclyn Falotico, Commissioner of Finance *JF*

CC: Paul Romano, RPTSA Director
Robert Zych, Director of Treasury Systems

DATE: October 25, 2022

SUBJECT: Living Resources - Interest and Penalties Forgiveness

A local not for profit organization, Living Resources is requesting that Schenectady County forgive \$9,086.04 in interest and penalties on a property they own at 11 Garnet Lane in Scotia, NY 12302 (SBL 29.36-1-9). As a tax-exempt entity Living Resources would have been eligible for an exemption on this particular property, however that timeframe has lapsed since the tax delinquency comes from 2017 and 2018 tax bills. Attached is a memo from Paul Romano, Director of Real Property Tax Service Agency, explaining the situation in more detail.

The Department of Finance respectfully requests authorization to forgive the interest and penalties on this property.

County of Schenectady
620 State Street, 3rd Floor,
Schenectady, N. Y. 12305
(518) 388-4260
(518) 388-4248 Fax

County Finance

Memo

TO: Jaclyn Falotico, Commissioner of Finance
FROM: Paul Romano, Director
Real Property Tax Service Agency
CC: Robert Zych, Director of Treasury Systems
DATE: October 21, 2022
SUBJECT: Living Resources Corp – 11 Garnet Ln Scotia, NY.

Living Resources Corp. purchased a property located at 11 Garnet Ln. Scotia, NY 12302 (SBL 29.36-1-9) in November of 2016. Subsequently, as a tax exempt entity, they mailed their exemption application paperwork to the wrong location at Schenectady City Hall instead of the Town of Glenville Assessors Office. This error in mailing resulted in a 2017 Town School, 2018 Town & County and a 2018 Village tax bill being issued.

Typically, this error could have been fixed through the Correction of Errors procedures provided in Section 550, RPTL but the 3 year statute of limitations on that process has passed. At this point, the only authority we have is to cancel interest and penalties through Section 1182, RPTL (attached).

The amount of \$25,024.10 is owed through the month of November 2022. Forgiving interest and penalties would reduce that amount to \$15,934.06.

We are requesting authorization forgive the interest and penalties that have accrued based on the circumstances set forth above.

Thank you for your consideration.

Real Property Tax

§ 1182. Cancellation or reduction of interest, penalties and other charges. If the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; provided, however, that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing