
STATE OF NEW YORK
COUNTY OF SCHENECTADY

THE MINUTES

of a Regular Meeting of the Schenectady County Legislature held May 10, 2022,
7:00 p.m. at Legislative Chambers Schenectady County Office Building, 620
State Street, Schenectady, New York

May 10, 2022

The invocation was given by Legislature Clerk Geoff Hall

Pledge of Allegiance

The Pledge of Allegiance was led by Legislator Hess.

Ceremonial Resolutions

Chairman Jasenski invited legislators from District 4 and representatives from the Challenger Baseball League to the well, and Legislature Hess read and presented the resolution.

LEGISLATIVE CONFERENCE

Chairman Jasenski called the Legislative Conference of the Schenectady County Legislature to order and instructed the Clerk to call the roll.

The Clerk called the roll.

Present:	15	(Cuomo, Frisoni, Hess, Hughes, Jasenski, McGarry, McGill, Ostrellich, Patierne, Pratt, Ruzzo, Gatta, Fields, Constantine, McDonald)
Absent:	0	
Excused:	0	
Vacant:	0	

Meeting of Committee on Rules

Legislator Fields called the meeting of the Committee on Rules to order.

Legislator Hughes moved to report Rules Initiatives 35 -22. Legislator Gatta seconded the motion. The motion passed unanimously.

County Attorney Chris Gardner and Commissioner of Economic Development and Planning; Ray Gillen explained rules initiative 35-22.

Legislator Hughes moved to report Rules Initiatives 36-22. Legislator Ruzzo seconded the motion. The motion passed unanimously.

County Manager Rory Fluman explained rules initiative 37-22.

Legislator Hughes moved to report Rules Initiatives 37-22. Legislator McGill seconded the motion. The motion passed unanimously.

Privilege of the Floor

Ted Helveston of Schenectady County gave some follow-up statistics on allowing licensing for 12- and 13-years old youth that participated in the Big Game Hunt.

PD Voorhis, of Niskayuna, spoke on Glendale Nursing Home and new apartment construction in the community.

The Chair instructed the clerk to read the comments received into the record.

There were no comments submitted.

REGULAR MEETING

Chairman Jasenski called the Legislative Conference of the Schenectady County Legislature to order and instructed the Clerk to call the roll.

The Clerk called the roll.

Present: 15 (Cuomo, Frisoni, Hess, Hughes, Jasenski, McGarry, McGill, Ostreich, Patierne, Pratt, Ruzzo, Gatta, Fields, Constantine, McDonald)

Absent: 0

Excused: 0

Vacant: 0

Approval Minutes

Legislator Hughes made a motion to approve the minutes from the April 12th meeting. Legislator Gatta seconded the motion. The motion was carried without objection.

Reports

We have received reports from: The Commissioner of Finance, the Department of Weights and Measures, and the County Clerk.

Committee Reports

Legislature Hughes reported the Committee on Economic and Planning met on May 2, 2022, and reported to the agenda Resolutions 72 and 73.

Legislature Frisoni reported the Committee on Labor and Civil Services met on May 2, 2022, and reported to the agenda Resolutions 74 and 75.

Legislature Fields reported the Committee on Rules met earlier this evening and reported to the agenda Resolutions 69,70 and 71.

Legislature Fields reported the Committee on Ways and Means met on May 2, 2022 and reported to the agenda Resolutions 74,75 and 76.

Resolution

RESOLUTION 69-22

Sponsored by Legislators Cuomo, Hess, Jasenski and McGarry:

A RESOLUTION COMMENDING THE ROTTERDAM CHALLENGER TRI-COUNTY BASEBALL LEAGUE FOR THEIR 30 YEARS OF SERVICE TO OUR COMMUNITY

WHEREAS, participation in organized sports has many benefits including developing a healthy lifestyle, getting exercise, improvement of motor skills, developing self-confidence, teaching teamwork, developing social skills and fostering friendships; and,

WHEREAS, baseball, a sport often referred to as America’s Pastime, is enjoyed by young and old alike, both as players and as spectators; and,

WHEREAS, thirty years ago, recognizing that there was a need to develop a baseball program that was accessible to all those who love the game, a dedicated group of volunteers formed the Rotterdam Challenger Tri-County Baseball League for individuals with physical and intellectual challenges; and,

WHEREAS, the Rotterdam Challenger Tri-County Baseball League has continued to thrive over the past 30 years and offers programs for children from 5 to 16 years of age and adults from 17 to 80 years old; and,

WHEREAS, the organization is 100% funded through the generosity of community members enabling the league to offer its programming to the approximately 75 participants free of charge; and,

WHEREAS, the Rotterdam Challenger Tri-County Baseball League, and its dedicated core group of approximately 30 volunteers, has provided those who

might not otherwise have the opportunity to participate in organized sports the chance to enjoy all of the benefits of doing so; and,

WHEREAS, this program is incredibly rewarding not just for the players, but for the volunteers and community as well; now therefore be it,

RESOLVED, that the Schenectady County Legislature hereby commends the Rotterdam Challenger Tri-County Baseball League for their 30 years of service to our community and thanks those who tirelessly volunteer their time to support the league's important mission.

5/10/2022:		<i>Reported from the Committee on Rules (R35)</i>
5/10/2022:		<i>Adopted by the County Legislature</i>
Ayes:	15.000	(Cuomo, Frisoni, Hess, Hughes, Jasenski, McGarry, McGill, Ostrelich, Patierne, Pratt, Ruzzo, Gatta, Fields, Constantine, McDonald)
Nays:	0.0000	
Absent:	0.0000	
Abstain:	0.0000	
Excused:	0.0000	

RESOLUTION 70-22

Sponsored by the Committee on Rules:

A RESOLUTION REGARDING THE PURCHASE OF PROPERTY AT 254 SOUTH FERRY STREET IN THE CITY OF SCHENECTADY

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Chair of the Schenectady Metroplex Development Authority by memorandum dated April 29, 2022 recommends that Schenectady County enter into a contract for the purchase and sale of real estate with J&F Hope House, LLC. for the purchase of real property located at 254 South Ferry Street in the City of Schenectady (S/B/L – 39.71-1-20) for \$600,000.00; and

WHEREAS, the Chair of the Schenectady Metroplex Development Authority advises that the aforesaid real estate would be purchased by the County in trust for use by SUNY Schenectady; and

WHEREAS, the Chair of the Schenectady Metroplex Development Authority further advises that the purchase price is reasonable based upon comparable land sales, and due to the nature and purpose of the purchase New York State will reimburse the County for fifty percent (50%) of the purchase price; and

WHEREAS, the Chair of the Schenectady Metroplex Development Authority further advises that lower State Street is one of the Gateways to the City of

Schenectady, and this proposed purchase of real estate would continue to provide an opportunity for SUNY Schenectady to expand eastward; and

WHEREAS, the Chair of the Schenectady Metroplex Development Authority further advises that this real estate will support efforts underway to expand the culinary, confectionary, distilling, brewing, music, workforce and other programs of SUNY Schenectady; and

WHEREAS, the County Attorney by memorandum dated May 5, 2022 recommends that Schenectady County enter into a contract with J&F Hope House, LLC. for the purchase of the aforesaid real property; and

WHEREAS, the Schenectady County Manager by memorandum dated May 6, 2022 recommends that Schenectady County enter into a contract with J&F Hope House, LLC. for the purchase of the aforesaid real property for \$600,000.00, and that appropriate budgetary amendments be approved; now, therefore, be it

RESOLVED, that the Schenectady County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to enter into a contract with J&F Hope House, LLC. for the purchase and sale of real estate for the aforesaid parcel located in the City of Schenectady for a total of \$600,000.00, and to execute any and all documents necessary for the acceptance of the aforesaid real property by the County, including a post-closing license agreement; and, be it further

RESOLVED, that the 2022 Capital Improvement Program be and it hereby is amended as follows:

Capital Budget

For Capital Project H2401210040

Increase Expense String by:

H542401.401000 – Land Acquisition for Future Expansion of Schenectady County Community College \$ 600,000.

Increase Revenue Strings by:

H32401/3270 – Dormitory Authority of New York State \$ 300,000.
H93333/5710 – Obligation Serial Bonds \$ 300,000.

5/10/2022: *Reported from the Committee on Rules (R36)*
5/10/2022: *Adopted by the County Legislature*

Ayes:	15.0000	(Constantine, Cuomo, Fields, Frisoni, Gatta, Hess, Hughes, Jasenski, McDonald, McGarry, McGill, Ostrellich, Patierne, Pratt, Ruzzo)
Nays:	0.0000	
Absent:	0.0000	
Abstain:	0.0000	
Excused:	0.0000	

RESOLUTION 71-22

Sponsored by the Committee on Rules:

A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ALBANY, SARATOGA, AND WARREN COUNTIES REGARDING ASSIGNED COUNSEL PROGRAMS

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the County Attorney by memorandum dated May 4, 2022 advises that the Administrator of Schenectady County's Assigned Counsel Plan recommends that Schenectady County enter into a memorandum of understanding with Albany, Saratoga and Warren Counties to improve legal defense services for indigents in the Capital Region; and

WHEREAS, the County Attorney further advises that the State of New York has provided funding to all Counties to improve legal defense services for indigents, which is predicated upon each County providing applicable programs, such as mentoring programs, continuing legal education training and second chair programs; and

WHEREAS, the County Attorney further advises that the aforesaid memorandum of understanding provides for a collaboration of the four counties to reduce costs and provide various training, education, and resource programs on an as-needed basis to members of each County's Assigned Counsel Program; and

WHEREAS, the County Manager by memorandum dated May 6, 2022 recommends that Schenectady County enter into a memorandum of understanding with Albany, Saratoga and Warren Counties to improve legal defense services for indigents; now, therefore, be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute a memorandum of understanding with Albany, Saratoga and Warren Counties consistent with the provisions of this Resolution.

5/10/2022: *Reported from the Committee on Rules (R37)*
5/10/2022: *Adopted by the County Legislature*

Ayes: 15.0000 (Constantine, Cuomo, Fields, Frisoni, Gatta, Hess,
Hughes, Jasenski, McDonald, McGarry, McGill,
Ostrelich, Patierne, Pratt, Ruzzo)
Nays: 0.0000
Absent: 0.0000
Abstain: 0.0000
Excused: 0.0000

RESOLUTION 72-22

**A RESOLUTION APPROVING THE ISSUANCE OF
BONDS BY THE SCHENECTADY COUNTY CAPITAL
RESOURCE CORPORATION**

BE IT ENACTED by the County Legislature of Schenectady County, New York (the “County Legislature”), as follows:

WHEREAS, The Trustees of Union College in the Town of Schenectady in the State of New York (a/k/a Union College) (the “Institution”), a New York education not-for-profit corporation, has presented an application to the Schenectady County Capital Resource Corporation (the “Issuer”), requesting that the Issuer consider issuing tax-exempt revenue bonds in one or more issues or series (the “Bonds”) for the benefit of the Institution in an aggregate principal amount estimated to be approximately \$60,000,000 to finance the following: (A) the renovation and upgrading of various buildings and capital infrastructure, such as updates to roofing, windows, underground infrastructure, exterior and interior building envelop, HVAC, plumbing work and Information Technology systems (the “New Money Project Facility”), located on the Institution’s main campus of 807 Union Street, in the City of Schenectady, County of Schenectady, New York, (the “Institution’s Campus”); (B) the refunding of the Institution’s outstanding \$28,325,000 Taxable Fixed Rate Refunding Bonds, Series 2015A (the “Series 2015 Bonds”); (C) the refunding of the Issuer’s outstanding \$21,640,000 Tax-Exempt Revenue Bonds (Union College Refunding Project), Series 2012A (the “Series 2012 Bonds” and, collectively with the Series 2015 Bonds, the “Prior Bonds”) and (D) costs incidental to the issuance of the Bonds, including costs of issuance and any reserve funds necessary to secure the Bonds; and

WHEREAS, the Prior Bonds financed or refinanced various costs of the acquisition of interests in real property located on the Campus and in various parcels in the City of Schenectady, Schenectady County, New York, and the construction, reconstruction, renovation and equipping of various educational, administrative, athletic and housing facilities and sites on the Campus and at

various locations in the City of Schenectady, Schenectady County, New York (collectively with the New Money Project Facility, the “Project Facility”); and

WHEREAS, the Institution has requested that the interest on the Bonds be excluded from the gross income of the owners thereof for federal income tax purposes pursuant to Sections 103 and 145 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income unless the issuance of the Bonds shall be approved by the County Legislature of the County of Schenectady (the “County Legislature”) after the Issuer has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, the Issuer held a public hearing following reasonable public notice on May 2, 2022, at the offices of Schenectady Metroplex Development Authority, 433 State Street, Schenectady, New York and the Issuer has provided the County Legislature with a Transcript of the Public Hearing; and

WHEREAS, pursuant to Section 147(f) of the Code, the County Legislature desires to allow the interest on the Bonds to be excluded from gross income for federal income tax purposes;

NOW, THEREFORE, BE IT RESOLVED by the County Legislature of the County of Schenectady County, New York, as follows:

Section 1. For the sole purpose of qualifying the interest payable on all or a portion of the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the County Legislature, as the elected legislative body of the County of Schenectady, New York, hereby approves the Bonds, provided that the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York, the County of Schenectady, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, the County of Schenectady, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

5/2/2022: *Reported from the Committee on Economic Development and Planning (EDP5)*

5/10/2022: *Adopted by the County Legislature*

Ayes: 12.9470 (Cuomo, Fields, Frisoni, Gatta, Hess, Hughes, Jasenski, McDonald, McGarry, McGill, Ostreich, Pratt, Ruzzo)

Nays: 0.0000
Absent: 0.0000
Abstain: 2.0530 (Constantine, Patierne)
Excused: 0.0000

RESOLUTION 73-22

Sponsored by Legislator Hughes:

A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH LEGERE CENTER, LLC.

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Chair of the Schenectady Metroplex Development Authority by memorandum dated April 29, 2022 advises that Legere Center, LLC, the owner of the Schenectady Armory (which is located at 125 Washington Avenue in the City of Schenectady), has requested the use of County-owned parcels; and

WHEREAS, the Chair of the Schenectady Metroplex Development Authority further advises that the requested parcels will be used as space for parking during the showing of the Van Gogh – The Immersive Experience Exhibit at the Armory; and

WHEREAS, the following significant license provisions have been agreed to, subject to Legislative approval, to wit:

1. Term of License: from May 19, 2022 to January 25, 2023;
2. Rent: \$10.00 per month;
3. Premises: 222 S. Ferry Street (S/B/L: 39.71-1-14.11) and 122 S. Church Street (S/B/L: 39.71-1-45.1)
4. Legere Center, LLC must have commercial general liability during the term of the license, and must list the County as an additional insured on its insurance policy; and

WHEREAS, the County Manager by memorandum dated April 29, 2022 recommends that the County enter into a License Agreement with Legere Center, LLC for the use of the aforesaid parcels; now, therefore be it

RESOLVED, that the County Manager be and he hereby is authorized to negotiate and execute, after approval of the County Attorney as to form and

content, a License Agreement with Legere Center, LLC consistent with the provisions of this Resolution.

5/2/2022: *Reported from the Committee on Economic Development and Planning (EDP6)*
5/10/2022: *Adopted by the County Legislature*

Ayes: 15.0000 (Constantine, Cuomo, Fields, Frisoni, Gatta, Hess, Hughes, Jasenski, McDonald, McGarry, McGill, Ostrellich, Patierne, Pratt, Ruzzo)
Nays: 0.0000
Absent: 0.0000
Abstain: 0.0000
Excused: 0.0000

RESOLUTION 74-22

Sponsored by Legislator Frisoni:

A RESOLUTION TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE GLENDALE NURSING HOME

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Administrator of Glendale Nursing Home by letter dated April 22, 2022 requests that a position of Patient Transport Aide be created, and that a position of Motor Equipment Operator Light be eliminated; and

WHEREAS, the Administrator of Glendale Nursing Home states that this change will improve overall operations and patient care at the Glendale Nursing Home; and

WHEREAS, the Director of Human Resources by memorandum dated April 22, 2022 recommends the creation of a position of Patient Transport Aide (CSEA Grade 6) at the Glendale Nursing Home, and states that no action is necessary on behalf of the Schenectady County Civil Service Commission; and

WHEREAS, the County Manager recommends by memorandum dated April 29, 2022 that a position of Motor Equipment Operator Light be eliminated at the Glendale Nursing Home, and that a position of Patient Transport Aide (Grade 6) be created, and that appropriate budgetary amendments be approved; now, therefore, be it

RESOLVED, that the following position at the Glendale Nursing Home be and it hereby is created as follows:

Position

Grade

Patient Transport Aide 6

; and, be it further

RESOLVED, that the aforesaid position of Motor Equipment Operator Light at the Glendale Nursing Home be and it hereby is eliminated; and be it further

RESOLVED, that the 2022 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

A516020.111050
– Glendale Nursing Home – Patient Transport Aide \$ 33,166.

Eliminate Appropriation Code by:

A518270.111070
– Glendale Nursing Home – Motor Equipment Operator Light \$ 33,166.

5/2/2022: *Reported from the Committee on Labor and Civil Service (LCS10)*
5/10/2022: *Reported from the Committee on Ways and Means Adopted by the County Legislature*

Ayes: 15.0000 (Constantine, Cuomo, Fields, Frisoni, Gatta, Hess, Hughes, Jasenski, McDonald, McGarry, McGill, Ostrelich, Patierne, Pratt, Ruzzo)
Nays: 0.0000
Absent: 0.0000
Abstain: 0.0000
Excused: 0.0000

RESOLUTION 75-22

Sponsored by Legislator Frisoni:

A RESOLUTION TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE OFFICE OF THE SCHENECTADY COUNTY DISTRICT ATTORNEY

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Schenectady District Attorney by memorandum dated April 18, 2022 requests that an Assistant District Attorney IV position, an Assistant District Attorney II position, and a full-time Administrative Assistant position be created

and funded, and that positions of Assistant District Attorney VI and Assistant District Attorney I be eliminated; and

WHEREAS, the Schenectady County District Attorney further states that the creation of the aforesaid positions better reflects the current operational needs of the Office; and

WHEREAS, the Director of Human Resources by memorandum dated April 22, 2022 recommends the creation of the positions of Assistant District Attorney II (JC-8), Assistant District Attorney IV (JC-9); and

WHEREAS, the Director of Human Resources advises that all necessary action by the Schenectady County Civil Service Commission is expected to occur at its May 17, 2022 meeting; and

WHEREAS, the County Manager by memorandum dated April 29, 2022 recommends that the positions of Assistant District Attorney II, Assistant District Attorney IV, and full-time Administrative Assistant be created and funded, and that the positions of Assistant District Attorney I and Assistant District Attorney VI be eliminated in the Office of the Schenectady County District Attorney, and that appropriate budgetary amendments be approved; now, therefore, be it

RESOLVED, that the following positions at the Office of the Schenectady County District Attorney be and they hereby are created as follows:

Position Classification

Assistant District Attorney II	JC-8
Assistant District Attorney IV	JC-9

; and, be it further

RESOLVED, that the positions of Assistant District Attorney I and Assistant District Attorney VI at the Office of the Schenectady County District Attorney be and they hereby are eliminated; and, be it further

RESOLVED, that the 2022 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

A511165.111 – District Attorney’s Office – Administrative Aide \$ 22,021.

Increase Appropriation Codes by:

A511165.111 – District Attorney’s Office –
Assistant District Attorney IV \$ 58,385.

A511165.111 – District Attorney’s Office –
Assistant District Attorney II \$ 47,597.

A589010.80019 – Fringe Benefits – State Retirement \$ 17,551.

Eliminate Appropriation Code:

A511165.111 – District Attorney’s Office –
Assistant District Attorney I \$ 65,000.

Decrease Appropriation Code by:

A511165.111 – District Attorney’s Office –
Assistant District Attorney VI \$ 80,554.

5/2/2022: *Reported from the Committee on Labor and Civil
Service (LCS11)*

5/10/2022: *Reported from the Committee on Ways and Means
Adopted by the County Legislature*

Ayes: 15.0000 (Constantine, Cuomo, Fields, Frisoni, Gatta, Hess,
Hughes, Jasenski, McDonald, McGarry, McGill,
Ostrelich, Patierne, Pratt, Ruzzo)

Nays: 0.0000

Absent: 0.0000

Abstain: 0.0000

Excused: 0.0000

RESOLUTION 76-22

Sponsored by Legislator Fields:

**A RESOLUTION AUTHORIZING A MORTGAGE TAX DISTRIBUTION
OF \$2,889,638.49 TO THE VARIOUS MUNICIPALITIES OF
SCHENECTADY COUNTY FOR THE PERIOD OCTOBER 1, 2021 TO
MARCH 31, 2022**

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, a joint report of the Recording Officer and the Commissioner of Finance was filed with the Clerk of the Legislature, showing the amount of mortgage tax monies collected during the preceding period ending March 31, 2022 and credited to each tax district of the county; and

WHEREAS, the Legislature is required to issue the warrant to the Commissioner of Finance directing payment to be made to the proper officer in each city, village and town of the county of the proportionate share to which each city, village and town is entitled by law, now, therefore, be it

RESOLVED, that the joint report of the Recording Officer and Commissioner of Finance be accepted in accordance with the schedule hereinafter specifically set forth, to wit:

Village of Delanson	\$ 6,336.92
Town of Duanesburg	\$ 227,214.35
Village of Scotia	\$ 53,049.51
Town of Glenville	\$ 540,903.52
Town of Niskayuna	\$ 519,444.85
Town of Princetown	\$ 31,439.08
Town of Rotterdam	\$ 869,290.73
City of Schenectady	<u>\$ 641,959.53</u>
TOTAL	\$ 2,889,638.49

; and, be it further

RESOLVED, that the foregoing statement shall be to the Commissioner of Finance a sufficient warrant for the payment of said monies; and, be it further

RESOLVED, that a certified copy of this Resolution be transmitted by the Clerk of the Legislature to the Commissioner of Finance and to the proper officer of each city, village, and town entitled to payment mentioned herein.

5/2/2022: Reported from the Committee on Ways and Means (WM3)

5/10/2022: Adopted by the County Legislature

Ayes: 15.0000 (Constantine, Cuomo, Fields, Frisoni, Gatta, Hess, Hughes, Jasenski, McDonald, McGarry, McGill, Ostrellich, Patierne, Pratt, Ruzzo)

Nays: 0.0000

Absent: 0.0000

Abstain: 0.0000

Excused: 0.0000

Adjournment

On the motion of Legislator Hughes, seconded by Legislator Fields without objection, the regular meeting was adjourned.