



City of Albany

Board of Estimate & Apportionment

Tuesday, March 8, 2022

1:30 P.M.

Regular Meeting via Zoom Video Conference

Peatros Haile
Deputy Chief City Auditor

Darius Shahinfar
Treasurer

Nick Blais
Acting Budget Director

Kelly Kimbrough
President Pro Tempore

Corey Ellis
Common Council President

The next regular meeting of the Board of Estimate & Apportionment will be on Tuesday, March 22, 2022

Offered the following:

Budget Transfers

2021

<i>Department</i>	<i>Transfer From Account</i>	<i>Transfer From Amount</i>	<i>Transfer To Account</i>	<i>Transfer To Amount</i>	<i>Explanation</i>
Budget	Unassigned Fund Balance A.0917	\$ 756,463.00	Multiple Accounts see spreadsheet	\$ 756,463.00	To cover retro pay for certain blue collar union positions
DGS	Salaries A.1491.1620.7000	\$ 525.00	Contracted Services A.1491.1620.7440	\$ 500.00	To cover outstanding 2021 invoices
			City Beautification A.1492.3600.7455	\$ 25.00	
	Total	\$ 525.00	Total	\$ 525.00	

Fire

	Contracted Services A.3410.7440	\$ 2,995.00	EMS Expense A.3410.7465	\$ 2,995.00	To cover outstanding 2021 invoices
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Increase Appropriation

2021

<i>Department</i>	<i>Increase Revenue</i>	<i>Increase Amount</i>	<i>Increase Expense</i>	<i>Increase Amount</i>	<i>Explanation</i>
Law	Court Settlements/Fines A.1000.2770.02	\$ 75,000.00	Judgments and Claims A.1900.7432	\$ 75,000.00	To reflect court settlement/fine revenue surplus and insufficient funds to cover approved settlements

Legal Settlements

2021

Please see the attached settlements of all claims for Bueford, Anne arising from alleged damages alleged in a US District Court action, as a result thereof, said settlement being resolved with no finding or admission of liability. The Corporation Counsel stated that she had agreed subject to the approval of the Board of Estimate and Apportionment to settle the following claim stated for the full allowed amount of \$205,000

BUDGET YEAR - 2021

FROM ACCOUNT	AMOUNT
A.0917 - Unassigned Fund Balance ✓	\$756,463 ✓

TO ACCOUNT	AMOUNT
1430 Civil Service Commission	
A.1430.1600.7192 - Longevity Pay	\$28,175
A.1430.1600.7801 - Social Security	\$2,156
1491 General Services	
A.1491.1620.7000 - Salaries	\$49,239
A.1491.1620.7199 - Overtime	\$3,066
A.1491.1620.7801 - Social Security	\$4,001
1492 Public Works	
A.1492.1640.7000 - Salaries	\$25,546
A.1492.1640.7199 - Overtime	\$3,069
A.1492.1640.7801 - Social Security	\$2,189
A.1492.3600.7000 - Salaries	\$119,757
A.1492.3600.7199 - Overtime	\$17,666
A.1492.3600.7801 - Social Security	\$10,513
A.1492.3800.7000 - Salaries	\$21,739
A.1492.3800.7199 - Overtime	\$1,947
A.1492.3800.7801 - Social Security	\$1,812
A.1492.5010.7000 - Salaries	\$185,904
A.1492.5010.7199 - Overtime	\$25,618
A.1492.5010.7801 - Social Security	\$16,181
1493 Waste Collection, Recycling, Dsp	
A.1493.8160.7000 - Salaries	\$140,793
A.1493.8160.7199 - Overtime	\$45,812
A.1493.8160.7801 - Social Security	\$14,275
1494 Landfill	
A.1494.8161.7000 - Salaries	\$4,149
A.1494.8161.7199 - Overtime	\$173
A.1494.8161.7801 - Social Security	\$331
3120 Police Department	
A.3120.2900.01.7000 - Salaries	\$335
A.3120.2900.01.7199 - Overtime	\$20
A.3120.2900.01.7801 - Social Security	\$27
A.3120.3310.7000 - Salaries	\$12,668
A.3120.3310.7199 - Overtime	\$420
A.3120.3310.7801 - Social Security	\$1,001
7110 Recreation Administration	
A.7110.7000 - Salaries	\$1,284
A.7110.7801 - Social Security	\$104
7140 Recreation Programs	
A.7140.0400.7000 - Salaries	\$1,264
A.7140.0400.7170 - Temporary Help	\$88
A.7140.0400.7801 - Social Security	\$98
7180 Recreation Operations	
A.7180.4200.7000 - Salaries	\$13,582
A.7180.4200.7199 - Overtime	\$392
A.7180.4200.7801 - Social Security	\$1,069
	\$756,463

To: Danielle Gillespie, City Clerk
From: Brett Williams, Senior Assistant Corporation Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: January 7, 2022
Updated January 20, 2022, February 1, 2022
Sponsor: Frederick o/b/o Finance

RESOLUTION 5.12.22R (As Amended 02/01/2022)

TITLE

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR CERTAIN BLUE COLLAR UNION POSITIONS FOR THE 2022 BUDGET

GENERAL PURPOSE OF LEGISLATION

On December 10, 2021, the Mayor entered into a Memorandum of Agreement with the AFSCME Blue Collar Union, updating and extending the terms of the Collective Bargaining Agreement between the City and the Union. The new Agreement includes raises and retroactive pay for Union members.

This resolution reflects the salary changes required under the Memorandum of Agreement, which were not reflected in the 2022 Budget, as adopted.

This resolution also authorizes the use of American Rescue Plan Act (“ARPA”) funds as revenue replacement, in order to fund essential governmental operations.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Pursuant to the City Charter the Council must consent to the transfer of funds that affect salary totals which occur outside of the Budget process.

Under Ordinance 31.102.21 (*As Amended on the Floor 11/15/2021*), the Council must authorize expenditures of ARPA funds not otherwise laid out in that Ordinance.

FISCAL IMPACT

A total of \$1,329,693.00 will be transferred from various budget lines to cover salary increases. \$1,200,000 will be transferred from the fund balance to cover retroactive pay.

Passed by the following vote of all the Council Members elected voting in favor thereof:

Resolution 5.12.22 was co-sponsored by Council Members Anane, Balarin, Clarke, Flynn, Hoey, Keegan, Kimbrough, Love, Robinson, and Zamer

Affirmative – Adams, Anane, Balarin, Clarke, Farrell, Flynn, Frederick, Hoey, Keegan, Kimbrough, Love, Robinson, Romero, and Zamer

Negative – Johnson

Affirmative 14 Negative 1 Abstain 0

Clerk of the Common Council

President of the Common Council

Mayor

Date

I, Danielle Gillespie, City Clerk and Clerk of the Common Council, do hereby certify that Resolution 5.12.22 was passed at a meeting of the Albany Common Council on February 7, 2022.

In Affirmation thereof, I hereto set my hand and affix The Seal of the City of Albany this ____ day of _____ 2022.

Clerk of the Common Council

Council Member Frederick, on behalf of the Committee on Finance, Assessment, and Taxation introduced the following, which was approved:

Resolution Number 5.12.22R (As Amended 02/01/2022)

A RESOLUTION OF THE COMMON COUNCIL CONSENTING TO AN ADJUSTMENT IN SALARY FOR CERTAIN BLUE COLLAR UNION POSITIONS FOR THE 2022 BUDGET

WHEREAS, section 603(D)(b) of the Charter of the City of Albany dictates that any transfer of budgeted funds that affects a salary rate or salary total occurs outside of those described in the duly adopted budget requires the approval of the Common Council; and

WHEREAS, the Acting Budget Director has requested adjustments in salary for Blue Collar Union positions pursuant to the Memorandum of Agreement executed between the City and the Blue Collar Union on December 10, 2021; and

WHEREAS, the requested changes to cover salary increases, which transfer a total of \$1,319,693.00, are reflected in the following chart:

Dept.	Budget Line Title	Budget Account	Decrease	Increase
DGS	Landfill Post Closure Care	A.1494.8161.7477	\$50,000	
	Processing Fee	A.1493.9160.7475	\$50,000	
	Unassigned Fund Balance	A.0917	\$647,509	
		Total	\$747,509	
	Central Maintenance – Salaries	A.1491.1620.7000		\$36,754
	Central Maintenance – SS	A.1494.1620.7801		\$2,812
	Fleet Maintenance – Salaries	A.1492.1640.7000		\$27,997
	Fleet Maintenance – SS	A.1492.1640.7801		\$2,142
	Parks – Salaries	A.1492.3600.7000		\$130,395
	Parks – SS	A.1492.3600.7801		\$9,975
	Capital Hills – Salaries	A.1492.3800.7000		\$65,146
	Capital Hills – SS	A.1492.3800.7801		\$4,984
	Streets – Salaries	A.1492.5010.7000		\$217,152
	Streets – SS	A.1492.5010.7801		\$16,612
	Waste Collection – Salaries	A.1493.8160.7000		\$216,944
	Waste Collection – SS	A.1493.8160.7801		\$16,596
		Total		\$747,509
Traf. Eng.	Contracted Services	A.3120.3310.7440	\$18,540	
		Total	\$18,540	
	Traffic Engineering – Salaries	A.3120.3310.7000		\$17,222
	Traffic Engineering – SS	A.3120.3310.7801		\$1,318
		Total		\$18,540

Dept.	Budget Line Title	Budget Account	Decrease	Increase
Recreation	Rec. Cent. Progs. – Temp. Help	A.7140.0400.7170	\$14,500	
	Summer Progs. – Temp. Help	A.7140.0600.7170	\$10,130	
		Total	\$24,630	
	Rec. Admin. – Salaries	A.7110.7000		\$4,181
	Rec. Admin – SS	A.7180.4200.7000		\$320
	Facility Operations – Salaries	A.7180.4200.7000		\$18,699
	Facility Operations – SS	A.7180.4200.7000		\$1,430
		Total		\$24,630
			Approp. Inc.	Increase
Water	Water Revenues	BW.1000.2140	\$529,014	
		Total	\$529,014	
	Sewer Maintenance – Salaries	BW.8120.7000		\$91,520
	Sewer Maintenance – SS	BW.8120.7801		\$7,001
	Pump Stations – Salaries	BW.8130.7000		\$13,083
	Pump Stations –SS	BW.8130.7801		\$1,001
	Admin. – Salaries	BW.8310.7000		\$22,318
	Admin. – SS	BW.8310.7801		\$1,707
	Source of Supply – Salaries	BW.8320.7000		\$64,688
	Source of Supply – SS	BW.8320.7801		\$4,949
	Purification – Salaries	BW.8330.7000		\$98,197
	Purification – SS	BW.8330.7801		\$7,512
	Trans. & Dist. – Salaries	BW.8340.7000		\$201,614
	Trans. & Dist. – Salaries	BW.8340.7801		\$15,424
		Total		\$529,014
		Grand Total	\$1,319,693	\$1,319,693

; and

WHEREAS, the Acting Budget Director has also requested authorization to transfer \$1,200,000.00 from the City’s fund balance to cover retroactive pay due to Union members under the newly-executed Memorandum of Agreement between the City and the Blue Collar Union;

WHEREAS, the Acting Budget Director has also requested authorization under section 6 of Ordinance 31.102.21 (*As Amended on the Floor 11/15/2021*) to use American Rescue Plan Act funds as revenue replacement for 2020 in the amount of \$1,847,509.00 in order to fund essential governmental operations;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds, outlined above, affecting salary totals for Blue Collar Union positions for the 2022 budget year; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Albany authorizes the transfer of funds to cover the retroactive pay due to Blue Collar Union members under their new contract with the City; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Albany authorizes the use of American Rescue Plan Act funds as revenue replacement for 2020 in the amount of \$1,847,509.00 in order to fund essential governmental operations.

CITY OF ALBANY
BUDGET TRANSFER REQUEST FORM (Revised 6/2018)

Department:
 Contact Person:
 Budget Year for this Transfer:
 Date Submitted:

<p>TRANSFER FROM: Account Name: <input type="text" value="Salaries"/> ✓ Account Number: <input type="text" value="1491.1620.7000"/> ✓ Amount to Transfer: <input type="text" value="\$525.00"/> ✓ Current Account Balance: <input type="text" value="\$4,230.30"/> ✓</p>	<p>TRANSFER TO: Account Name: <input type="text" value="Contracted Services"/> ✓ Account Number: <input type="text" value="1491.1620.7440"/> ✓ Amount to Receive in Transfer: <input type="text" value="\$500.00"/> ✓ Current Account Balance: <input type="text" value="\$501.50"/> ✓</p>
<p>TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/></p>	<p>TRANSFER TO: Account Name: <input type="text" value="City Beautification"/> ✓ Account Number: <input type="text" value="1492.3600.7455"/> ✓ Amount to Receive in Transfer: <input type="text" value="\$25"/> ✓ Current Account Balance: <input type="text" value="\$0.00"/> ✓</p>
<p>TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/></p>	<p>TRANSFER TO: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Receive in Transfer: <input type="text"/> Current Account Balance: <input type="text"/></p>
<p>TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/></p>	<p>TRANSFER TO: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Receive in Transfer: <input type="text"/> Current Account Balance: <input type="text"/></p>

259

TOTAL TRANSFER AMOUNT =

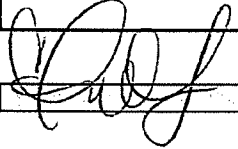
Reason for Transfer:

Back-up information included?
 Is this a Salary Change Request? *If this is a salary change, fill out the below information:*

SALARY CHANGE INFORMATION

Title of Employee Receiving Salary Change:

Reason for Salary Change:

Department Head e-Signature: 

Budget Office e-Signature:

Date:

Please return this form to: budgettransfers@albanyny.gov

CITY OF ALBANY
BUDGET TRANSFER REQUEST FORM (Revised 6/2018)

Department:
Contact Person:
Budget Year for this Transfer:
Date Submitted:

TRANSFER FROM: Account Name: <input type="text" value="Contracted Services"/> ✓ Account Number: <input type="text" value="A3410-7440"/> ✓ Amount to Transfer: <input type="text" value="\$2,995"/> Current Account Balance: <input type="text" value="\$25,596.88"/> ✓ <i>23,115.04</i>	TRANSFER TO: Account Name: <input type="text" value="EMS Expense"/> ✓ Account Number: <input type="text" value="A3410.7465"/> ✓ Amount to Receive in Transfer: <input type="text" value="\$2,995"/> Current Account Balance: <input type="text" value="\$13.75"/> ✓
TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/>	TRANSFER TO: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Receive in Transfer: <input type="text"/> Current Account Balance: <input type="text"/>
TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/>	TRANSFER TO: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Receive in Transfer: <input type="text"/> Current Account Balance: <input type="text"/>
TRANSFER FROM: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Transfer: <input type="text"/> Current Account Balance: <input type="text"/>	TRANSFER TO: Account Name: <input type="text"/> Account Number: <input type="text"/> Amount to Receive in Transfer: <input type="text"/> Current Account Balance: <input type="text"/>

TOTAL TRANSFER AMOUNT =

Reason for Transfer:

Back-up information included?
Is this a Salary Change Request? *If this is a salary change, fill out the below information:*

SALARY CHANGE INFORMATION
Title of Employee Receiving Salary Change:
Reason for Salary Change:

Department Head e-Signature:

Budget Office e-Signature: Date:

Please return this form to: budgettransfers@albany.ny.gov

CITY OF ALBANY

INCREASE APPROPRIATION REQUEST (Revised 6/2018)

Department:
Contact Person:
Budget Year for this Request
Date Submitted:

<p>INCREASE REVENUE</p> <p>Account Name: <input type="text" value="Court Settlements/Fines"/> ✓</p> <p>Account Number: <input type="text" value="A.1000.2770.02"/> ✓</p> <p>Increase Revenue Amount: <input type="text" value="\$75,000"/></p> <p>Current Account Balance: <input type="text" value="-\$315,445.71"/> ✓</p> <p>INCREASE REVENUE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Increase Revenue Amount: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p> <p>INCREASE REVENUE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Increase Revenue Amount: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p> <p>INCREASE REVENUE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Increase Revenue Amount: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p>	<p>INCREASE EXPENSE</p> <p>Account Name: <input type="text" value="Judgements & Claims"/> ✓</p> <p>Account Number: <input type="text" value="A.1900.7432"/> ✓</p> <p>Amount to Receive from Revenue Acct: <input type="text" value="\$75,000"/></p> <p>Current Account Balance: <input type="text" value="\$19,303.71"/> ✓</p> <p>INCREASE EXPENSE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Amount to Receive from Revenue Acct: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p> <p>INCREASE EXPENSE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Amount to Receive from Revenue Account: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p> <p>INCREASE EXPENSE</p> <p>Account Name: <input type="text"/></p> <p>Account Number: <input type="text"/></p> <p>Amount to Receive from Revenue Acct: <input type="text"/></p> <p>Current Account Balance: <input type="text"/></p>
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TOTAL INCREASE REVENUE AMOUNT =

Reason for Transfer:

Back-up information included?

Department Head e-Signature:

Budget Office e-Signature:

Date:

Please return this form to: budgettransfers@albanyny.gov

City of Albany
DEPARTMENT OF LAW

MEMORANDUM

To: Dorcey Applyrs, City Auditor
From: Marisa Franchini, Corporation Counsel
Re: E&A Meeting
Date: February 24, 2022

Enclosed, please find the attached E&A forms for plaintiff Anne Bueford to be scheduled for the upcoming E&A meeting.

If you have any questions, feel free to contact me.

Thank you,

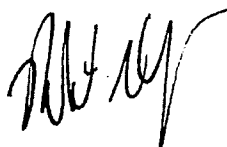
Marisa

MEMORANDUM

TO: Board of Estimates and Apportionment
FROM: Robert Magee, Deputy Corporation Counsel
RE: Bueford v City of Albany
DATE: March 7, 2022

Attached is a settlement agreement regarding a notice of claim filed by Anne Bueford concerning a fence of hers which was destroyed by the City of Albany Police Department during pursuit of a criminal suspect on May 4, 2021.

This settlement resolves any and all claims Ms. Bueford may have against the City of Albany concerning the incident without any finding or admission of liability.



**AGREEMENT
of
COMPROMISE AND SETTLEMENT
and
GENERAL RELEASE**

THIS AGREEMENT, made the _____ day of _____ by and between **Anne Bueford**, hereinafter referred to as the party of the first part, and **Marisa Franchini**, as Corporation Counsel of the City of Albany, New York, hereinafter referred to as the party of the second part:

WITNESSETH:

WHEREAS, the party of the first part heretofore and on May 27, 2021 made and filed written claim against the said City of Albany and

WHEREAS, the party of the second part, pursuant to law, has offered to enter into an agreement with said party of the first part, for the settlement and compromise of said claim by the payment of the sum of two hundred five dollars and zero cents (\$205.00) by the City of Albany, without interest, to the said party of the first part, subject to the approval of the Board of Estimate and Apportionment, and the party of the first part has agreed to enter into this agreement and to accept said offer, subject to such approval;

NOW, THEREFORE, for and in consideration of the premises and of the sum of \$205.00 to be paid, without interest, to the party of the first part by the City of Albany, the party of the first part release and forever discharge the said City of Albany, and the officers, agents, servants and employees of the said City, of and from any and all manner of actions, claims, demands, causes of action, suits, sums of money, damages and judgements whatsoever, in law or in equity, which against the said City of Albany the party of the first part ever had, now have, or which the party of the first part and his, her, or their heirs, executors or administrators, successors and assigns, hereinafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever, and, including, but, without limiting the generality of the foregoing, the matters, demands, claims and things set forth, claimed and asserted in the aforesaid written claim.

This agreement on the part of the party of the second part is subject to the approval of the Board of Estimate and Apportionment of the City of Albany, pursuant to law.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Anne Bueford
.....
Anne Bueford
M. Franchini
.....
CORPORATION COUNSEL

STATE OF NEW YORK
COUNTY OF Albany } ss.:

On this 3rd day of February, 2021, before me, the subscriber personally came **Anne Bueford** to me known to be the same person(s) described in and who executed the foregoing instrument, and he duly acknowledged that he executed the same.

Caché Taffe
Notary Public, State of New York
Reg. No. 01TA6418683
Qualified in Albany County
Commission Expires 6/21/25
.....
Notary Public

Caché Taffe
.....

2/3/2022

STATE OF NEW YORK
CITY AND COUNTY OF ALBANY } ss.:

On this 24th day of February, 2021, before me, the subscriber personally came **Marisa Franchini, Corporation Counsel**, of the City of Albany to me known to be the same person described in and who executed the foregoing instrument, and she duly acknowledged that she executed the same.

Laura M. Gulfo
Notary Public, State of New York
No. 02GU6354368
Qualified in Columbia County
Commission Expires: 02/06/2025

Laura M. Gulfo
.....
NOTARY PUBLIC

Approved by the Board of Estimate and Apportionment of the City of Albany, the day of , 2021.

.....
SECRETARY

File No. (21-05-L079)

**AGREEMENT
of
COMPROMISE AND SETTLEMENT
and
GENERAL RELEASE**

THIS AGREEMENT, made the _____ day of _____ by and between **Anne Bueford**, hereinafter referred to as the party of the first part, and **Marisa Franchini**, as Corporation Counsel of the City of Albany, New York, hereinafter referred to as the party of the second part:

WITNESSETH:

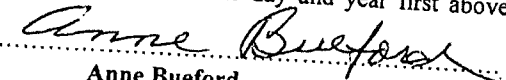
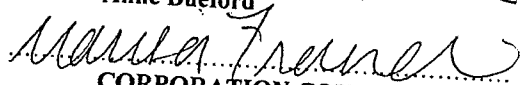
WHEREAS, the party of the first part heretofore and on May 27, 2021 made and filed written claim against the said City of Albany and

WHEREAS, the party of the second part, pursuant to law, has offered to enter into an agreement with said party of the first part, for the settlement and compromise of said claim by the payment of the sum of two hundred five dollars and zero cents (\$205.00) by the City of Albany, without interest, to the said party of the first part, subject to the approval of the Board of Estimate and Apportionment, and the party of the first part has agreed to enter into this agreement and to accept said offer, subject to such approval;

NOW, THEREFORE, for and in consideration of the premises and of the sum of \$205.00 to be paid, without interest, to the party of the first part by the City of Albany, the party of the first part release and forever discharge the said City of Albany, and the officers, agents, servants and employees of the said City, of and from any and all manner of actions, claims, demands, causes of action, suits, sums of money, damages and judgements whatsoever, in law or in equity, which against the said City of Albany the party of the first part ever had, now have, or which the party of the first part and his, her, or their heirs, executors or administrators, successors and assigns, hereinafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever, and, including, but, without limiting the generality of the foregoing, the matters, demands, claims and things set forth, claimed and asserted in the aforesaid written claim.

This agreement on the part of the party of the second part is subject to the approval of the Board of Estimate and Apportionment of the City of Albany, pursuant to law.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

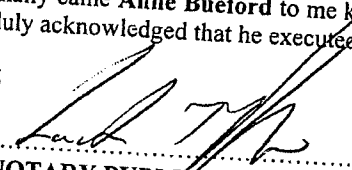

Anne Bueford

CORPORATION COUNSEL

STATE OF NEW YORK
COUNTY OF Albany } ss.:

On this 3rd day of February, 2022, before me, the subscriber personally came **Anne Bueford** to me known to be the same person(s) described in and who executed the foregoing instrument, and he duly acknowledged that he executed the same.

Notary Public, State of New York
Reg. No. 01TA6418333
Qualified in Albany County
Commission Expires 6/21/25

NOTARY PUBLIC


2/3/2022

STATE OF NEW YORK
CITY AND COUNTY OF ALBANY } ss.:

On this 25th day of February, 2022, before me, the subscriber personally came **Marisa Franchini, Corporation Counsel**, of the City of Albany to me known to be the same person described in and who executed the foregoing instrument, and she duly acknowledged that she executed the same.

Laura M. Gulfo
Notary Public, State of New York
No. 02GU6354368
Qualified in Columbia County
Commission Expires: 02/01/2025


NOTARY PUBLIC

Approved by the Board of Estimate and Apportionment of the City of Albany, the day of , 2021.

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SECRETARY

File No. (21-05-L079)