



P. DAVID SOARES
DISTRICT ATTORNEY

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DISTRICT ATTORNEY

COUNTY OF ALBANY
OFFICE OF THE DISTRICT ATTORNEY
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CHERYL K. FOWLER
CHIEF ASSISTANT DISTRICT ATTORNEY

November 15, 2022

Andrew Joyce
Albany County Legislature
112 State St, Room 700
Albany, NY 12207

Dear Mr. Joyce,

I am requesting legislative action to further the mission of the Office of the Albany County District Attorney. The attached resolution seeks permission to:

- Replenish over expended funds from the Clothing Allowance (19980) line, and fulfill the requirement for this calendar year.

Attached is the request for legislative action and supporting documents. If you have any questions, please feel free to contact me at 518-275-4701.

Thank you for your assistance,

Sincerely,

A handwritten signature in black ink, appearing to read "P. Soares", is written over a horizontal line.

P. David Soares
Albany County District Attorney

Cc: Rebekah Kennedy, Majority Counsel
Cc: Arnis Zilgme, Minority Counsel

REQUEST FOR LEGISLATIVE ACTION

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

A contractual allowance is due to the Office of the Albany County District Attorney's Criminal Investigators in compliance with their International Brotherhood of Teamsters contract. It states that "All employees in the unit who are on payroll on the last day of the payroll period in which November 1st falls on will receive a clothing allowance equal to \$300 on or about December 1st of each year of this agreement" (Page 29, section 6, subdivision 1). This contractual allowance was not granted in the years 2018, 2019, and 2020. The issue was remedied in 2021, however the expense overflowed into the 2022 budget due to being applied to the pay period of 12/24/2021-12/30/2022 which was actually paid out in January of 2022. The Office of the Albany County District Attorney is requesting to move \$13,800 from budget line 44065 into the Clothing Allowance line of 19980 in order to fulfill the contractual obligation. A total of \$9,900 is due in retroactive pay to 11 Criminal Investigators for the allowance, \$900 is due in order to replenish the 2022 budget that was over-expended, and \$3,000 would be to comply for the year 2022 for 10 Criminal Investigators, for a total of \$13,800.

Date:	11/15/2022
Submitted By:	David Soares
Department:	1165- District Attorney
Title:	District Attorney
Phone:	518-275-4701
Department Rep.	
Attending Meeting:	Christopher Horn

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☒ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance

☒ Other: (state if not listed) Retroactive payment for clothing allowance outlined in the Teamsters contract due to criminal investigative unit.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☒ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: 19980
Source of Funds: 44065
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim

- ☐ Release of Liability

- ☐ Other: (state if not listed)

Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

International Brotherhood of Teamsters Local 294

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$13,800

Scope of Services: Contractual obligation of a clothing allowance.

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

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service:

Yes ☒ No ☐

If Mandated Cite Authority:

International Brotherhood of Teamsters

Is there a Fiscal Impact:

Yes ☐ No ☒

Anticipated in Current Budget:

Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line:

Click or tap here to enter text.

Revenue Amount:

Click or tap here to enter text.

Appropriation Account and Line:

A91165-44065

Appropriation Amount:

\$13,800

Source of Funding – (Percentages)

Federal:

0%

State:

0%

County:

100%

Local:

0%

Term

Term: (Start and end date)

1/1/2019-12/31/2021

Length of Contract:

3 Years

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain:

Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number:

Click or tap here to enter text.

Date of Adoption:

Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

The Office of the Albany County District Attorney is requesting to move funds from budget line Photocopier Lease 44065 into the Clothing Allowance line of 19980 in order to fulfill the contractual obligation.

APPROPRIATIONS

ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A9 1165 4 4065	Photocopier Lease		\$13,800.00		District Attorney
A9 1165 1 9980	Clothing Allowance	\$13,800.00			District Attorney

TOTAL APPROPRIATIONS	\$13,800.00	\$13,800.00
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ESTIMATED REVENUES

ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
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TOTAL ESTIMATED REVENUES	\$0.00	\$0.00
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GRAND TOTALS	\$13,800.00	\$13,800.00
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