

**RESOLUTION 2024-09-06
OF THE
ALBANY COUNTY PINE HILLS LAND AUTHORITY**

WHEREAS, the Albany County Pine Hills Land Authority (“Authority”) was established pursuant to Title 28-C of the Public Authorities Law as set out in Chapter 168 of the Laws of 2024 of the State of New York (“Enabling Legislation”); and

WHEREAS, Section 2676-f(12) of the Enabling Legislation provides that the Authority shall have the power “to retain or employ counsel, auditors, engineers, and private consultants on a contract basis or otherwise for rendering professional, management, or technical services and advice”; and

WHEREAS, Section 5(A) of the Authority Procurement Policy provides that the solicitation of alternative proposals and quotations may not be in the best interest of the Authority for “Professional services . . . requiring special or technical skill, training or expertise. The individual, company or firm must be chosen based on accountability, reliability, responsibility, skill, conflict of interests, reputation, education and training, judgment, integrity, continuity of service and moral worth. Furthermore, certain professional services to be provided to the Authority, e.g., legal and accounting services, impact liability issues of the Authority and its members, including securities liability in circumstances where the Authority is issuing bonds. . . . In determining whether a service fits into this category, the Authority shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and Authority members;” and

WHEREAS, pursuant to the above statutory authority and in accordance with Section 5(A) of the Procurement Policy, the Authority desires to procure: (i) necessary and prudent insurance coverage for the Authority, including but not limited to Director and Officer liability coverage (collectively, the “Insurance Coverage”) as determined by Chief Executive Officer; and (ii) legal counsel services to support its operations as determined by the Chief Executive Officer including but not limited to services from: Greenberg Traug LLP, Hodgson Russ LLP, Thomas M. Owens Esq. and O’Connell & Aronowitz LLP (collectively, the “Legal Counsel Services”); and

NOW, THEREFORE BE IT RESOLVED, the Chief Executive Officer is authorized and directed to prepare, negotiate, and execute any and all agreements and other related documents necessary to procure the: (i) Insurance Coverage; and (ii) Legal Counsel Services.

Dated: September 12, 2024

Secretary

Motion made by:

Seconded by:

Vote: