

# **County of Albany**

112 State Street  
Albany, NY 12207



## **Meeting Agenda**

**Monday, August 10, 2020**

**7:00 PM**

**Held Remotely**

**County Legislature**

**Call to Order**

**Roll Call**

**PREVIOUS BUSINESS**

237. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2020

**Sponsors:** Joyce

238. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "F" FOR 2020

**Sponsors:** Joyce

239. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "G" FOR 2020

**Sponsors:** Joyce

240. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "H" FOR 2020

**Sponsors:** Peter and Reidy

**CURRENT BUSINESS:**

244. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION REGARDING THE CAPITAL DISTRICT TRAILS PLAN IMPLEMENTATION GRANT

**Sponsors:** Public Works Committee

245. AMENDING THE 2020 DEPARTMENT OF PUBLIC WORKS BUDGET: CONSOLIDATED LOCAL STREET AND HIGHWAY IMPROVEMENT PROGRAM (CHIPS)

**Sponsors:** Public Works Committee

246. AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC. REGARDING THE PURCHASE OF A 2021 WESTERN STAR 4700 DUMPSTER TRUCK

**Sponsors:** Public Works Committee

247. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION REGARDING THE 2020 SNAP PROCESS AND TECHNOLOGY IMPROVEMENT GRANT FOR IMPLEMENTATION OF A CENTRALIZED CALL CENTER

**Sponsors:** Social Services Committee

248. AUTHORIZING AGREEMENTS REGARDING TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS TO EDUCATION AND THERAPY PROGRAMS

**Sponsors:** Social Services Committee

249. AMENDING THE 2020 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: SECURE DETENTION FACILITY

**Sponsors:** Social Services Committee

250. AMENDING THE 2020 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: REDLICH HORWITZ FOUNDATION GRANT

**Sponsors:** Social Services Committee

251. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REGARDING THE MAINTENANCE OF SNOWMOBILE TRAILS IN ALBANY COUNTY

**Sponsors:** Conservation and Sustainability and Green Initiatives Committee

252. ADOPTING THE NEW YORK STATE ARCHIVES RETENTION AND DISPOSITION SCHEDULE FOR LOCAL GOVERNMENT RECORDS

**Sponsors:** Law Committee

253. AMENDING RESOLUTION NO. 30 FOR 2019 REGARDING THE SECOND UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT

**Sponsors:** Law Committee

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254. AUTHORIZING AGREEMENTS REGARDING ALBANY COUNTY INSURANCE COVERAGE

**Sponsors:** Law Committee

255. AUTHORIZING A LEASE AGREEMENT WITH DAVID VILLAMIL REGARDING SUITE 118 AT 112 STATE STREET

**Sponsors:** Law Committee

256. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS REGARDING THE CAPITAL REGION OPEN ACCESS ENGAGEMENT PROGRAM AND AMENDING THE 2020 DEPARTMENT OF MENTAL HEALTH BUDGET

**Sponsors:** Audit and Finance Committee and Health Committee

257. AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION REGARDING THE HEALTHY NEIGHBORHOODS PROGRAM GRANT

**Sponsors:** Health Committee

258. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH, INC. REGARDING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM

**Sponsors:** Health Committee

259. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE DRINKING WATER ENHANCEMENT GRANT PROGRAM

**Sponsors:** Health Committee

260. AUTHORIZING A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE REGARDING THE GENERAL HIGHWAY SAFETY GRANT PROGRAM

**Sponsors:** Health Committee

261. AUTHORIZING AN AGREEMENT WITH ST. PETER'S HEALTH PARTNERS FOR CLOSED POINT OF DISPENSING

**Sponsors:** Health Committee

262. AUTHORIZING THE ALBANY COUNTY SHERIFF TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF FULL-TIME AND PART-TIME PARAMEDICS AND FULL-TIME AND PART-TIME EMERGENCY MEDICAL TECHNICIANS FOR THE COUNTY'S ADVANCED LIFE SUPPORT AND EMT PROGRAMS

**Sponsors:** Personnel Committee

263. AUTHORIZING THE OFFICE OF IMMIGRATION ASSISTANCE TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF IMMIGRATION COUNSEL

**Sponsors:** Personnel Committee

264. AMENDING THE 2020 SHERIFF'S OFFICE BUDGET: ADMINISTRATIVE ADJUSTMENTS

**Sponsors:** Audit and Finance Committee

265. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE CANAL CORPORATION REGARDING REIMBURSEMENT FOR MARINE PATROL SERVICES

**Sponsors:** Audit and Finance Committee

266. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE 2020 EMERGENCY MANAGEMENT PERFORMANCE GRANT AND AMENDING THE 2020 SHERIFF'S OFFICE BUDGET

**Sponsors:** Audit and Finance Committee

267. PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE CAPITAL PROGRAM FOR 2020-2024

**Sponsors:** Audit and Finance Committee

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268. PUBLIC HEARING ON THE PROPOSED ALBANY COUNTY CAPITAL PROGRAM FOR 2021-2025

**Sponsors:** Audit and Finance Committee

269. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS REGARDING THE NYS HAVA CARES ACT GRANT AND AMENDING THE 2020 BOARD OF ELECTIONS BUDGET

**Sponsors:** Audit and Finance Committee

270. AUTHORIZING AN AGREEMENT WITH MOTHER CABRINI HEALTH FOUNDATION/FOUNDATION FOR LONG TERM CARE, INC. REGARDING A CORONAVIRUS EMERGENCY SUPPORT GRANT

**Sponsors:** Audit and Finance Committee

271. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 250 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 39 GARFIELD PLACE (TAX MAP NO. 65.21-2-61) IN THE CITY OF ALBANY

**Sponsors:** Audit and Finance Committee

272. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 69 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 268 STARR ROAD (TAX MAP NO. 155.-1-57) IN THE TOWN OF COEYMANS

**Sponsors:** Audit and Finance Committee

273. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE CITY OF ALBANY

**Sponsors:** Audit and Finance Committee

274. AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITIES OF ALBANY AND WATERVLIET AND THE TOWNS OF BERNE, COEYMANS, COLONIE AND RENSSELAERVILLE

**Sponsors:** Audit and Finance Committee

275. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY REGARDING PUBLIC ASSISTANCE GRANT FUNDING

**Sponsors:** Audit and Finance Committee

276. REQUESTING THE ALBANY COUNTY COMPTROLLER AND THE COMMISSIONER OF HUMAN RESOURCES TO REVIEW THE ALBANY COUNTY RULES AND REGULATIONS FOR EMPLOYEES AND PROVIDE RECOMMENDATIONS CONCERNING TIMEKEEPING PRACTICES

**Sponsors:** Joyce and Feeney

#### **LOCAL LAWS:**

LOCAL LAW NO. "B" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY TO PROHIBIT WASTE BURNING AND TO PROTECT THE CLEAN AIR OF ALBANY COUNTY

**Sponsors:** Reinhardt, Miller, Cunningham, Plotsky, Kuhn, Joyce, Chapman, Bruschi, Clay, Cleary, Efekoro, Fein, Lekakis, McLaughlin, McLean Lane, Reidy, Peter and Simpson

LOCAL LAW NO "D" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW 3 FOR 2010 AND AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LEASE AGREEMENT OF PROPERTY OWNED BY ALBANY COUNTY WITH THE SHAKER HERITAGE SOCIETY NOT TO EXCEED FIFTY YEARS, SUBJECT TO THE APPROVAL OF THE ALBANY COUNTY LEGISLATURE

**Sponsors:** Bruschi, Joyce, Feeney, Beston, Chapman, Clay, Cleary, Efekoro, Ethier, Fein, Joyce, Kuhn, Lekakis, Mayo, McLaughlin, Miller, O'Brien, Peter, Reidy, Reinhardt, Ricard, Smith, Ward, Willingham and Grimm

#### **VETOED RESOLUTION**

194. A RESOLUTION AMENDING RESOLUTION 283 FOR 1992, AS SUBSEQUENTLY AMENDED, TO RESTORE THE COMMITTEE TO FILL VACANCIES IN RESPONSE TO THE COVID-19 RELATED HEALTH EMERGENCY AND UNCERTAINTY IN THE BUDGETARY REALITIES CAUSED BY CURRENT THE GLOBAL PANDEMIC.

**Sponsors:** Joyce, Peter, O'Brien, Ricard and Willingham

## **Adjournment**



**RESOLUTION NO. 237**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2020**

Introduced: 7/13/20

By Mr. A. Joyce:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "E" for 2020, "A Local Law of the County of Albany, New York, Imposing an Additional One Percent Rate of Tax on Sales and Uses of Tangible Personal Property and of Certain Services, and on Occupancy of Hotel Rooms and Amusement Charges, Pursuant to Article 29 of the Tax Law of the State of New York" be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, August 25, 2020, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Audit and Finance and Law Committees – 7/13/20*

*Favorable Recommendation Law Committee – 7/29/20*

*Favorable Recommendation Audit and Finance Committee – 7/30/20*

**RESOLUTION NO. 238**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "F" FOR 2020**

Introduced: 7/13/20

By Mr. A. Joyce:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "F" for 2020, "A Local Law of the County of Albany, New York Imposing a Tax on the Occupancy of Hotel Rooms in Albany County" be held remotely by the County Legislature, with information available on the County website, at 7:15 p.m. on Tuesday, August 25, 2020, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Audit and Finance and Law Committees – 7/13/20*

*Favorable Recommendation Law Committee – 7/29/20*

*Favorable Recommendation Audit and Finance Committee – 7/30/20*

**RESOLUTION NO. 239**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "G" FOR 2020**

Introduced: 7/13/20

By Mr. A. Joyce:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "G" for 2020, "A Local Law of The County Of Albany, New York Enacting a Mortgage Recording Tax Pursuant to Section 253-P of the Tax Law of the State of New York" be held remotely by the County Legislature, with information available on the County website, at 7:15 p.m. on Tuesday, August 25, 2020, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Audit and Finance and Law Committees – 7/13/20*

*Favorable Recommendation Law Committee – 7/29/20*

*Favorable Recommendation Audit and Finance Committee – 7/30/20*

**RESOLUTION NO. 240**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "H" FOR 2020**

Introduced: 7/13/20

By Messrs. Peter and Reidy:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "H" for 2020, "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, REPEALING LOCAL LAW 1 FOR 2016 AND PROHIBITING THE USE AND SALE OF SPARKLING DEVICES" to be held remotely by the Albany County Legislature at 7:15 p.m. on Tuesday, August 25, 2020, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Public Safety and Law Committees – 7/13/20*

*Favorable Recommendation Law Committee – 7/29/20*

*Favorable Recommendation Public Safety Committee – 7/30/20*

**RESOLUTION NO. 244**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION REGARDING THE CAPITAL DISTRICT TRAILS PLAN IMPLEMENTATION GRANT**

Introduced: 8/10/20

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to submit an application to the Capital District Transportation Committee regarding the Capital District Trails Plan Implementation Grant for an amount up to \$75,000 in federal planning funds, and

WHEREAS, The Commissioner has indicated the grant funding will be used to support a consultant-led feasibility study regarding three potential extensions of the Albany County Helderberg Hudson Rail Trail in the Town of Guilderland and the Capital District Trails Plan released in 2019, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit an application to the Capital District Transportation Committee regarding the Capital District Trails Plan Implementation Grant for an amount up to \$75,000 in federal planning funds, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 245**

**AMENDING THE 2020 DEPARTMENT OF PUBLIC WORKS BUDGET:  
CONSOLIDATED LOCAL STREET AND HIGHWAY IMPROVEMENT  
PROGRAM (CHIPS)**

Introduced: 8/10/20

By Public Works Committee:

WHEREAS, The County has been informed by the New York State Department of Transportation that the County has a rollover amount of \$1,728,641 remaining in the State Fiscal Year (SFY) 2019-2020 allotment, and

WHEREAS, The remaining \$1,728,641 in SFY 2019-2020 rollover CHIPS Capital Reimbursement funds has not been previously accounted as revenue for 2019 or 2020, and

WHEREAS, The Commissioner of the Department of Public Works has requested a budget amendment in order to utilize the remaining rollover funds in the Department Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2020 Department of Public Works Budget is amended as follows:

Increase Revenue Account D3591 Highway Capital Project by \$1,728,641

Increase Appropriation Account D5112.4 by \$1,728,641 by increasing Line Item D5112 4 4075 Bridge and Road Repair by \$1,728,641

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 246**

**AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC.  
REGARDING THE PURCHASE OF A 2021 WESTERN STAR 4700  
DUMPSTER TRUCK**

Introduced: 8/10/20

By Public Works Committee:

WHEREAS, The Executive Director of the Water Purification District has requested authorization for the purchase and delivery of a new 2021 Western Star 4700 dumpster truck to accommodate larger dumpsters that are needed to manage new requirements for the City of Albany's Beaver Creek Floatables Control Project in the amount of \$146,619, and

WHEREAS, The District, through the County Purchasing Agent, using the Onondaga County Request for Bids has recommended Tracey Road Equipment, Inc. for the purchase and delivery of a 2021 Western Star 4700 dumpster truck and any warranty work, service and parts for the vehicle, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tracey Road Equipment, Inc., Albany, NY, 12205 in an amount not to exceed \$149,619 regarding the purchase and delivery of a 2021 Western Star 4700 dumpster truck and any warranty work, service and parts for the vehicle, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

RESOLUTION NO. 247

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION REGARDING THE 2020 SNAP PROCESS AND TECHNOLOGY IMPROVEMENT GRANT FOR IMPLEMENTATION OF A CENTRALIZED CALL CENTER**

Introduced: 8/10/20

By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to submit a 2020 SNAP Process and Technology Improvement Grant application to the United States Department of Agriculture (USDA) in the amount of \$856,403 in grant funding for the implementation of a SNAP Centralized Call Center with Interactive Voice Response Technology, and

WHEREAS, The Commissioner has indicated the grant funding will cover the cost of five new staff salaries and fringe for two years, the implementation of a call center phone system, call center data collection software and necessary user licenses, and essential furniture needed to establish the call center, and

WHEREAS, The Commissioner has also indicated that the call center will provide significant efficiencies in the processing of SNAP cases, and will allow the department to develop new SNAP work processes, resulting in an enhanced level of customer service to SNAP recipients and applicants, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application from funding with the USDA, in the amount of \$856,403 regarding the cost of five new staff salaries and fringe for two years, the implementation of a SNAP Centralized Call Center phone system, call center data collection software and necessary user licenses, and essential furniture needed to establish the call center, and, be it further

RESOLVED, That the County Attorney is authorized to approve said application as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



**RESOLUTION NO. 248**

**AUTHORIZING AN AGREEMENT REGARDING TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS TO EDUCATION AND THERAPY PROGRAMS**

Introduced: 8/10/20

By Social Services Committee:

WHEREAS, The Department for Children, Youth and Families is required to provide appropriate transportation services for children who have been evaluated and found to have special needs related to special education and therapy programs assigned by school district-based committees, and

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to enter into an agreement with Rejha Group LLC regarding transportation of children with special needs to education and therapy programs in all six transportation zones for the term commencing September 1, 2020 and ending August 31, 2021, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Rejha Group LLC, Albany, NY 12205 regarding transportation of children with special needs to education and therapy programs for the term commencing September 1, 2020 and ending August 31, 2021, for the following six district transportation zones:

Zone #1 Not to exceed \$453,908

Zone #4 Not to exceed \$849,624

Zone #2 Not to exceed \$323,180

Zone #5 Not to exceed \$492,061

Zone #3 Not to exceed \$852,405

Zone #6 Not to exceed \$912,176

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 249**

**AMENDING THE 2020 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: SECURE DETENTION FACILITY**

Introduced: 8/10/20

By Social Services Committee:

WHEREAS, By Resolution No. 472 for 2019, this Honorable Body authorized a lease agreement with the Capital District Youth Center, Inc. (CDYCI) regarding the regional juvenile detention facility for a term commencing January 1, 2020 and ending December 31, 2024, and

WHEREAS, Due to New York State Office of Children and Family Services (OCFS) amended billing and process procedures in regards to secure detention non-consortium placements, beginning in 2020, all non-consortium county usage must be billed to Albany County as the home county, with OCFS subsequently providing 100% reimbursement for those expenses to Albany County, and

WHEREAS, The Commissioner has indicated that an increase to its Secure Detention line is necessary to pay CDYCI for those non-consortium placements of court ordered Juvenile Delinquents and Juvenile Offenders from all four of the member Counties, and

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to amend the 2020 DCYF Budget by increasing its Secure Detention line in the amount of \$2,276,993, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2020 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3619 Foster Care by \$2,276,993

Increase Appropriation Account A6119.4 by \$2,276,993 by increasing line item A6119 4 4402 Secure Detention by \$2,276,993

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 250**

**AMENDING THE 2020 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: REDLICH HORWITZ FOUNDATION GRANT**

Introduced: 8/10/20

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to amend the 2020 DCYF Budget by increasing its Office Equipment line in the amount of \$20,000, and

WHEREAS, The Commissioner has indicated that the increase to its Office Equipment line is necessary for the purchase of fifteen iPhones, three iPads, MiFi devices, and the monthly service charges pursuant to Albany County's current contract with Verizon, and

WHEREAS, The Commissioner has also indicated the iPhones and iPads will be used by DCYF staff to assist in keeping children in foster care connected to their families, enable virtual face to face contact with parents, and to facilitate families who do not have the resources to attend family court appearances remotely while reducing the number of in-home visits, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2020 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A1623 COVID-19 Response by \$20,000

Increase Appropriation Account A6119.2 by \$9,620 by increasing line item A6119 2 2001 Office Equipment by \$9,620

Increase Appropriation Account A6119.4 by \$10,380 by increasing line item A6119 4 4036 Telephone by \$10,380

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 251**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REGARDING THE MAINTENANCE OF SNOWMOBILE TRAILS IN ALBANY COUNTY**

Introduced: 8/10/20

By Conservation, Sustainability, and Green Initiatives Committee:

WHEREAS, The Department of Economic Development, Conservation and Planning has requested authorization to submit a grant application to the New York State Office of Parks, Recreation and Historic Preservation on behalf of the Frontier Sno-Riders Snowmobile Club and Ridgerunners Snowmobile Club of Middleburgh, Inc. for the purpose of maintaining designated snowmobile trails in Albany County, and

WHEREAS, The Senior Natural Resource Planner has indicated that existing snowmobile trails and proposed new trails in Albany County are eligible for maintenance funding at no cost to the County from the New York State Office of Parks, Recreation and Historic Preservation and the County will be notified of the amount of funding in the fall of 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Office of Parks, Recreation and Historic Preservation on behalf of the Frontier Sno-Riders Snowmobile Club and Ridgerunners Snowmobile Club of Middleburgh, Inc. for the purpose of maintaining designated snowmobile trails in Albany County at no cost to the County, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 252**

**ADOPTING THE NEW YORK STATE ARCHIVES RETENTION AND DISPOSITION SCHEDULE FOR LOCAL GOVERNMENT RECORDS**

Introduced: 8/10/20

By Law Committee:

WHEREAS, Pursuant to Article 57-A of the Arts and Cultural Affairs Law, the New York State Archives has issued a new records retention and disposition schedule to supersede and replace the existing retention schedules currently used by local governments, and

WHEREAS, The Albany County Clerk has requested the adoption of the new schedule, Retention and Disposition Schedule for New York Local Government Records (LGS-1), now, therefore be it

RESOLVED, By the Albany County Legislature that the New York State Archives Retention and Disposition Schedule for New York Local Government Records (LGS-1) is hereby adopted and shall supersede any and all existing retention and disposition schedules, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 253**

**AMENDING RESOLUTION NO. 30 FOR 2019 REGARDING THE SECOND UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT**

Introduced: 8/10/20  
By Law Committee:

WHEREAS, By Resolution No. 30 for 2019, this Honorable Body authorized an agreement with the New York State Office of Indigent Legal Services regarding the Second Upstate Quality Improvement and Caseload Reduction Grant in the amount of \$300,000 for a three-year term commencing July 1, 2017 and ending June 30, 2020, and

WHEREAS, The Albany County Public Defender has requested an amendment to the agreement with the New York State Office of Indigent Legal Services, at no cost to the County, to reflect an ending date of June 30, 2021 rather than June 30, 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 30 for 2019 is hereby amended to reflect an ending date of June 30, 2021 rather than June 30, 2020, and, therefore be it

RESOLVED, That the County Attorney is authorized to approve said amendment as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 254**

**AUTHORIZING AGREEMENTS REGARDING ALBANY COUNTY  
INSURANCE COVERAGE**

Introduced: 8/10/20  
By Law Committee:

WHEREAS, The Albany County Attorney's Office, upon the recommendation of the County's insurance consultant, has requested authorization to enter into agreements for the County's insurance coverage through Arthur J. Gallagher Risk Management Services, Inc., and

WHEREAS, It has been recommended that the County enter into agreements with Argonaut Insurance Company for Excess Commercial, General, Automobile, Law Enforcement, Public Officials, and Employment Practices coverage; Allied World for Excess insurance; Travelers for Property insurance; Greenwich for Boiler and Machinery coverage; Medical Liability Mutual Insurance Company for Medical Liability coverage; ACE for Cyber Liability insurance; and Travelers for Crime insurance for a total combined premium amount of \$1,287,349, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements through Arthur J. Gallagher Risk Management Services, Inc. with Argonaut Insurance Company for Excess Commercial, General, Automobile, Law Enforcement, Public Officials, and Employment Practices coverage at an annual premium not to exceed \$395,640; Allied World for Excess insurance at an annual premium not to exceed \$113,132; Travelers for Property insurance at an annual premium not to exceed \$282,798 + \$953 Fire Fee; Greenwich for Boiler and Machinery coverage at an annual premium not to exceed \$24,998; Medical Liability Mutual Insurance Company for Medical Liability insurance at an annual premium not to exceed \$390,461; and ACE for Cyber Liability insurance at an annual premium not to exceed \$65,585 for the term commencing August 15, 2020 and ending August 15, 2021, and Travelers for Crime insurance for a three-year term at a premium not to exceed \$13,782, for a total combined premium amount of \$1,287,349, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 255**

**AUTHORIZING A LEASE AGREEMENT WITH DAVID VILLAMIL  
REGARDING SUITE 118 AT 112 STATE STREET**

Introduced: 8/10/20  
By Law Committee:

WHEREAS, The Commissioner of the Albany County Department of General Services has requested authorization to enter into a lease agreement with David Villamil regarding Suite 118 at 112 State Street for a total amount of \$7,200 to be paid in monthly increments of \$300 over a two-year term commencing August 1, 2020 and ending July 31, 2022 with two additional one-year options to renew, and

WHEREAS, The Commissioner indicated that David Villamil intends to operate a barbershop and/or shoe shine business at the location, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with David Villamil, Schenectady, NY 12304 regarding Suite 118 at 112 State Street, Albany, NY 12207 in accordance with the terms set forth herein, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



**RESOLUTION NO. 256**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS REGARDING THE CAPITAL REGION OPEN ACCESS ENGAGEMENT PROGRAM AND AMENDING THE 2020 DEPARTMENT OF MENTAL HEALTH BUDGET**

Introduced: 8/10/20  
By Health Committee:

WHEREAS, The Director of the Department of Mental Health has requested authorization to enter into an agreement with the New York State Office of Addiction Services and Supports (NYS OASAS) regarding the Capital Region Open Access Engagement Program in an amount not to exceed \$11,006 for a term commencing May 1, 2020 and ending September 30, 2020, and

WHEREAS, The Director has been notified that grant award funding has been made available regarding the Capital Region Open Access Engagement Program which is a 24/7/365 single point of access program for those dealing with addiction, and

WHEREAS, The Director also indicated a budget amendment is necessary to incorporate this funding, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the County Executive is hereby authorized to enter into an agreement with the NYS OASAS regarding the Capital Region Open Access Engagement Program in an amount not to exceed \$11,006 for a term commencing May 1, 2020 and ending September 30, 2020, and, be it further

RESOLVED, That the 2020 Department of Mental Health Budget is hereby amended as follows:

Increase Revenue Account A3486 Narcotics Addiction Control (OASAS Grant) by \$11,006

Increase Appropriation Account A4310 4 4046 Fees for Services by \$11,006

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 257**

**AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE  
EXTENSION REGARDING THE HEALTHY NEIGHBORHOODS PROGRAM  
GRANT**

Introduced: 8/10/20  
By Health Committee:

WHEREAS, The Commissioner of the Department of Health has requested authorization to enter into an agreement with Cornell Cooperative Extension regarding the Healthy Neighborhoods Program Grant in the amount of \$220,000 for the term commencing April 1, 2020 and ending March 31, 2021, and

WHEREAS, The Commissioner indicated that the agreement with Cornell Cooperative Extension will provide the funding needed to address public health issues in targeted areas focusing on reducing residential injuries, childhood lead poisoning, exposure to indoor air pollutants and preventing fires, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cornell Cooperative Extension regarding the Healthy Neighborhoods Program Grant in an amount not to exceed \$220,000 for the term commencing April 1, 2020 and ending March 31, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 258**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH, INC. REGARDING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM**

Introduced: 8/10/20  
By Health Committee:

WHEREAS, The Commissioner of Health has requested authorization to enter into an agreement with the New York State Department of Health (NYSDOH)/Health Research, Inc. (HRI) regarding the Public Health Emergency Preparedness Program in an amount not to exceed \$296,558 for the term commencing July 1, 2020 and ending June 30, 2021, and

WHEREAS, The Commissioner indicated that the funding will be used to provide enhanced services in the five focus areas of planning and assessment, surveillance, information and communication technology, risk communication, and education and training of staff, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the NYSDOH/HRI regarding the Public Health Emergency Preparedness Program in an amount not to exceed \$296,558 for the term commencing July 1, 2020 and ending June 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 259**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE DRINKING WATER ENHANCEMENT GRANT PROGRAM**

Introduced: 8/10/20  
By Health Committee:

WHEREAS, The Commissioner of Health has been notified by the New York State Department of Health that funds in an amount up to \$528,560 are available to continue an ongoing grant pertaining to the Drinking Water Safety Program, and

WHEREAS, The grant provides funding to improve the existing drinking water monitoring system and ensure continued safety of drinking water for residents of Albany County, and

WHEREAS, The Commissioner has requested authorization to enter into a multi-year agreement with the New York State Department of Health in an amount up to \$528,560 regarding the Drinking Water Safety Program for the term commencing April 1, 2020 and ending March 31, 2025, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a multi-year agreement with the New York State Department of Health in an amount up to \$528,560 regarding the Drinking Water Safety Program for the term commencing April 1, 2020 and ending March 31, 2025, and, be it further

RESOLVED, That the County Executive is further authorized to enter into an initial agreement with the New York State Department of Health regarding the Drinking Water Safety Program commencing April 1, 2020 and ending March 31, 2021 in an amount not to exceed \$105,712, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 260**

**AUTHORIZING A GRANT APPLICATION AND AN AGREEMENT WITH THE  
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE  
REGARDING THE GENERAL HIGHWAY SAFETY GRANT PROGRAM**

Introduced: 8/10/20  
By Health Committee:

WHEREAS, The Commissioner of the Albany County Department of Health has requested authorization to submit a grant application and enter into an agreement with the New York State Governor's Traffic Safety Committee regarding the 2021 General Highway Safety Grant Program in the amount of \$25,000 for the term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, The Commissioner has indicated that the funding will be used to expand the scale of public awareness activities and expand the geographic scope of the program by extending along Route 5 into the Town of Colonie, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application and enter into an agreement with the New York State Governor's Traffic Safety Committee regarding the 2021 General Highway Safety Grant Program in the amount of \$25,000 for the term commencing October 1, 2020 and ending September 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 261**

**AUTHORIZING AN AGREEMENT WITH ST. PETER'S HEALTH PARTNERS  
FOR CLOSED POINT OF DISPENSING**

Introduced: 8/10/20

By Health Committee:

WHEREAS, The Commissioner of Health has requested authorization to enter into an agreement with St. Peter's Health Partners (SPHP) for Closed Point of Dispensing (CPOD) at no cost to the County for a term commencing August 1, 2020 and ending July 31, 2025, and

WHEREAS, The Commissioner indicated the purpose of the CPOD is to dispense medical countermeasures to members SPHP have identified for treatment including SPHP paid employees, family members, patients/residents/clients, volunteers, students, independent contractors and credentialed medical staff and is not open to the public, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized enter into an agreement with St. Peter's Health Partners (SPHP), Albany, NY 12208 for Closed Point of Dispensing (CPOD) at no cost to the County for a term commencing August 1, 2020 and ending July 31, 2025, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 262**

**AUTHORIZING THE ALBANY COUNTY SHERIFF TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF FULL-TIME AND PART-TIME PARAMEDICS AND FULL-TIME AND PART-TIME EMERGENCY MEDICAL TECHNICIANS FOR THE COUNTY'S ADVANCED LIFE SUPPORT AND EMT PROGRAMS**

Introduced: 8/10/20

By Personnel Committee:

WHEREAS, The Albany County Sheriff has diligently sought out qualified applicants for the positions of full and part-time Paramedic for the County's Advanced Life Support program in the Towns of Bethlehem, Berne, Coeymans, New Scotland, Rensselaerville and Westerlo and full and part-time Emergency Medical Technician for the EMT Program with the Bethlehem Volunteer Ambulance Service, Delmar Fire District and the Town of New Scotland, and

WHEREAS, The Sheriff indicated that there is a shortage of qualified applicants who are residents of Albany County and available and willing to fill all of the vacant full and part-time positions, and

WHEREAS, Resolution No. 245-C for 1995 requires the approval of this Honorable Body for hiring out-of-county applicants in instances where there are no sufficiently qualified Albany County residents who have applied for such positions, and

WHEREAS, Members of the Personnel Committee of the Albany County Legislature have been satisfied that there are no sufficiently qualified Albany County residents to fill the positions and have recommended that an approval in accordance with the requirements of Resolution No. 245-C for 1995 be given to the filling of full and part-time Paramedic and Emergency Medical Technician positions for a twelve-month period with out-of-county applicants, now, therefore be it

RESOLVED, By the Albany County Legislature that hiring out-of-county applicants to fill the aforementioned positions with the Albany County Sheriff's Office is approved in accordance with the requirements of Resolution No. 245-C for 1995, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants shall expire August 1, 2021, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 263**

**AUTHORIZING THE OFFICE OF IMMIGRATION ASSISTANCE TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF IMMIGRATION COUNSEL**

Introduced: 8/10/20  
By Personnel Committee:

WHEREAS, The Office of Immigration Assistance has diligently sought out qualified applicants for the position of Immigration Counsel, and

WHEREAS, The Director of the Office of Immigration Assistance has indicated that due to the specialized requirements for this position they have not been able to locate qualified applicants who are residents of Albany County and willing to accept this position, and

WHEREAS, Resolution No. 245-C for 1995 requires the approval of this Honorable Body for the consideration and hiring of out-of-county applicants in instances where there are not sufficient qualified Albany County residents who have applied for such position, and

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied that there exists a shortage of qualified Albany County residents to fill the Immigration Counsel position and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given for a 12-month period in order to fill such position, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill the position of Immigration Counsel is hereby approved in accordance with the requirements of Resolution No. 245-C for 1995 for a 12-month period in order to fill such position, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for this position shall expire August 1, 2021, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Official.



**RESOLUTION NO. 264**

**AMENDING THE 2020 SHERIFF'S OFFICE BUDGET: ADMINISTRATIVE ADJUSTMENTS**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff has requested authorization to create the positions of Commander and Corrections Investigator in the 2020 Sheriff's Office Budget by transferring funds from a Captain and two Corrections Sergeants positions, and

WHEREAS, The Sheriff has indicated that the new positions are necessary to meet the needs at the Corrections and Rehabilitative Services Center, and

WHEREAS, The Sheriff has requested a budget-neutral amendment to the 2020 Sheriff's Office Budget to appropriate funds for the new positions, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2020 Sheriff's Office Budget is amended as follows:

Decrease Appropriation Account A3150.1 by \$71,392 by decreasing the following line items:

Decrease and Delete Line Item A3150 1 2301 005 Captain by \$23,798

Decrease and Delete Line Item A3150 1 4113 004 Corrections Sergeant by \$23,797

Decrease and Delete Line Item A3150 1 4113 021 Corrections Sergeant by \$23,797

Increase Appropriation Account A3150.1 by \$71,392 by creating and increasing the following line items:

Create and Increase Line Item A3150 1 2303 001 Corrections Investigator by \$30,072 with an annual salary of \$74,454

Create and Increase Line Item A3150 1 2309 002 Commander by \$41,320 with an annual salary of \$102,316

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 265**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE  
NEW YORK STATE CANAL CORPORATION REGARDING  
REIMBURSEMENT FOR MARINE PATROL SERVICES**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Canal Corporation regarding reimbursement for marine patrol services in the amount of \$8,000 for the term commencing April 1, 2020 and ending March 31, 2021, and

WHEREAS, The Sheriff has indicated that this funding, which requires a County match of \$2,000, will be used to recuperate a portion of the funds spent on the patrolling of Albany County waterways which are contiguous to the New York State Canal System, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Canal Corporation regarding reimbursement for marine patrol in the amount of \$8,000 for the term commencing April 1, 2020 and ending March 31, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 266**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE 2020 EMERGENCY MANAGEMENT PERFORMANCE GRANT SUPPLEMENTAL AND AMENDING THE 2020 SHERIFF'S OFFICE BUDGET**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with the New York State Division of Homeland Security and Emergency Services in order to accept 2020 Emergency Management Performance Grant-Supplemental funding in an amount of \$66,503 for a term commencing January 27, 2020 and ending July 31, 2021, and

WHEREAS, The Albany County Sheriff has indicated that the aforementioned grant funds will be utilized to pay for Personal Protective Equipment (PPE) supplies, including surgical masks, gowns, and N-95 respirators and related items used in the Sheriff's Office's ongoing emergency management activities, and

WHEREAS, The Sheriff has also requested a budget amendment to incorporate the 2020 Emergency Management Performance Grant-Supplemental funding into the 2020 Sheriff's Office Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services in order to accept 2020 Emergency Management Performance Grant-Supplemental funding in an amount of \$66,503 for a term commencing January 27, 2020 and ending July 31, 2021, and, be it further

RESOLVED, That the 2020 Sheriff's Office Budget is amended as follows:

Increase Revenue Account A3305 EMP-S Civil Defense by \$66,503

Increase Appropriation Account A3110.2 by \$66,503 by increasing Line Item A3110 2 2750 EMP-S Security Equipment by \$66,503

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 267**

**PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE CAPITAL PROGRAM FOR 2020-2024**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, By Resolution No. 337 for 2019, this Honorable Body adopted the 2020-2024 Albany County Capital Program, and

WHEREAS, An amendment to the Capital Program is necessary to move forward with various projects, and

WHEREAS, Pursuant to Section 609 of the Albany County Charter, the Albany County Legislature shall publish a summary of the amendment to the 2020-2024 Capital Program for Albany County and the time and place for a public hearing on the same, now, therefore be it

RESOLVED, That the proposed amendment to the 2020-2024 Albany County Capital Program is available for public inspection at the offices of the County Clerk, Albany County Courthouse, Albany, New York and the Clerk of the Legislature, 112 State Street, Room 710, Albany, New York, during normal business hours and is available on the Albany County website, and, be it further

RESOLVED, By the Albany County Legislature that a public hearing on the proposed amendment to the 2020-2024 Albany County Capital Program will be held by the County Legislature remotely, with participation instructions available on the Albany County website, on Tuesday, August 25, 2020, and the Clerk of the County Legislature is hereby directed to cause notice to be published containing the necessary information in accordance with the applicable provisions of law.

**RESOLUTION NO. 268**

**PUBLIC HEARING ON THE PROPOSED ALBANY COUNTY CAPITAL PROGRAM FOR 2021 – 2025**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, Pursuant to Section 609 of the Albany County Charter, the Albany County Legislature shall publish a summary of the Capital Program for Albany County and the time and place for a public hearing on the same, now, therefore be it

RESOLVED, That the summary of the proposed Albany County Capital Program for 2021-2025 is available for public inspection on the County website and at the offices of the County Clerk, Albany County Courthouse, Albany, New York and the Clerk of the Legislature, 112 State Street, Room 710, Albany, New York, during normal business hours, and, be it further

RESOLVED, By the Albany County Legislature that a public hearing on the proposed Albany County Capital Program for 2021–2025 will be held by the County Legislature remotely, with participation instruction available on the Albany County website, on the 25th day of August, 2020, and the Clerk of the County Legislature is hereby directed to cause notice to be published containing the necessary information in accordance with the applicable provisions of law.

**RESOLUTION NO. 269**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS REGARDING THE NYS HAVA CARES ACT GRANT AND AMENDING THE 2020 BOARD OF ELECTIONS BUDGET**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The Commissioners of the Albany County Board of Elections have requested authorization to enter into an agreement with the New York State Board of Elections to accept Coronavirus Aid, Relief, and Economic Security (CARES) Act funding in an amount up to \$398,349 for the term commencing March 28, 2020 and ending November 16, 2020, and

WHEREAS, The Commissioners have also requested a budget amendment in order to incorporate the CARES Act funding into the 2020 Board of Elections Budget, and

WHEREAS, The Commissioners have indicated that the funding will be used to reimburse expenses in connection with the 2020 primary and general election cycle, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Board of Elections to accept CARES Act funding in an amount up to \$398,349 for the term commencing March 28, 2020 and ending November 16, 2020, and, be it further

RESOLVED, That the 2020 Board of Elections Budget is hereby amended as follows:

Increase Revenue Account A3305 HAVA CARES Act by \$398,349

Increase Appropriation Account A1450.4 by \$398,349 by increasing line item A1450 4 4046 Fees for Services by \$398,349

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 270**

**AUTHORIZING AN AGREEMENT WITH MOTHER CABRINI HEALTH FOUNDATION/FOUNDATION FOR LONG TERM CARE, INC. REGARDING A CORONAVIRUS EMERGENCY SUPPORT GRANT**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Shaker Place Rehabilitation and Nursing Center has requested authorization to enter into an agreement with the Mother Cabrini Health Foundation/Foundation of Long Term Care, Inc. to accept funding in the amount of \$9,000 for the term commencing April 15, 2020 and ending June 30, 2020, and

WHEREAS, The Executive Director has indicated that the funding will be used for hazard pay expenses for frontline workers in connection with the COVID-19 pandemic, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the Mother Cabrini Health Foundation/Foundation of Long Term Care, Inc., Latham, NY 12110 to accept funding regarding hazard pay expenses for frontline workers in connection with COVID-19 in the amount of \$9,000 for the term commencing April 15, 2020 and ending June 30, 2020, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



**RESOLUTION NO. 271**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 250 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 39 GARFIELD PLACE (TAX MAP NO. 65.21-2-61) IN THE CITY OF ALBANY**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, By Resolution No. 250 for 2019, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure to the Albany County Land Bank Corporation, including 39 Garfield Place (Tax Map No. 65.21-2-61) in the City of Albany, and

WHEREAS, Eugene Clark, the immediate former owner of the property, has expressed an interest in acquiring the parcel and has committed to paying the full amount of taxes, interest and penalties due for the property, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to immediate former owners, including that any and all liens extinguished as a result of the foreclosure shall be reinstated, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 250 for 2019 is hereby amended by rescinding the authorization to convey 39 Garfield Place (Tax Map No. 65.21-2-61) in the City of Albany, and be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 39 Garfield Place (Tax Map No. 65.21-2-61) in the City of Albany to Eugene Clark for the amount of all delinquent real property taxes owing to the County on said property as of the date it was foreclosed upon "in rem" by the County with interest on said amount at the rate of 12% per annum computed to the date upon which the conveyance back of said property is made by the County, and, be it further

RESOLVED, That the aforementioned amount due shall also include the amount of any and all out-of-pocket costs and expenses incurred by the County in connection with said property following the date of its foreclosure "in rem" by the County including, but not limited to, real property and school taxes, special assessments, municipal fees and charges, and maintenance and repairs, and, be it further

RESOLVED, That any and all liens upon the property which were previously extinguished as a result of the foreclosure action shall be deemed reinstated and restored pursuant to the Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 272**

**RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 69 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 268 STARR ROAD (TAX MAP NO. 155.-1-57) IN THE TOWN OF COEYMANS**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, By Resolution No. 69 for 2020, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure to the Albany County Land Bank Corporation, including 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans, and

WHEREAS, Blaine Kropp, an abutting property owner has expressed an interest in acquiring this parcel for \$5,000, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to abutting property owners, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 69 for 2020 is hereby amended by rescinding the authorization to convey 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 268 Starr Road (Tax Map No. 155.-1-57) in the Town of Coeymans to Blaine Kropp for the amount of \$5,000, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

RESOLUTION NO. 273

AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE CITY OF ALBANY

Introduced: 8/10/20  
By Audit and Finance Committee:

WHEREAS, This Legislative Body has received one application from the Director of the Real Property Tax Service Agency for refund of real property taxes, and

WHEREAS, The application has been investigated by the Director who recommends to this Honorable Body that the Tax Roll involved be corrected, and refund be made pursuant to RPTL §556, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Roll for the City of Albany be corrected and refund be made with respect to the following parcel of real property:

<u>APPLICANT</u>	<u>DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</u>	<u>AMOUNTS</u>
Trey Kingston Assessor	419 Livingston Ave Tax Map No. 65.10-2-5 2020 Collection	\$490.38

and, be it further

RESOLVED, Said correction shall be in accordance with Form RP-556 as submitted with favorable recommendations by the Director in accordance with the provisions of the New York State Real Property Tax Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 274**

**AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITIES OF ALBANY AND WATERVLIET AND THE TOWNS OF BERNE, COEYMANS, COLONIE AND RENSSELAERVILLE**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, This Legislative Body has received 119 applications from the Director of the Real Property Tax Service Agency for corrections of real property taxes, and

WHEREAS, These applications have been investigated by the Director who recommends to this Honorable Body that the Tax Rolls involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the listed Tax Rolls for the Cities of Albany and Watervliet and the Towns of Berne, Coeymans, Colonie and Rensselaerville be corrected with respect to the parcels of real property as indicated on the spreadsheet annexed hereto due to unlawful entry, and, be it further

RESOLVED, Said corrections shall be in accordance with Form RP-554 as submitted with favorable recommendation by the Director in accordance with the provisions of the New York State Real Property Tax Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Municipality	Location of Property	Tax Map Number	Recorded Transfer Date	2020 Prop Tax	Water	Sewer	Relief Fee	Downtown Bid	Trash/Board Up	Demo	Total Tax Bill	Corrected Tax
Berne	Peasley Road	124-2-7	12/24/2019	\$539.97							\$539.97	\$0.00
Coeymans	9 First Street	168.12-2-12	12/24/2019	\$83.82		\$110.00					\$193.82	\$0.00
Coeymans	279 Gedney Hill Road	178-1-21	12/24/2019	\$205.47							\$205.47	\$0.00
Coeymans	Gedney Hill Road	178-1-23	12/24/2019	\$273.12							\$273.12	\$0.00
Cohoes	159 Main Street	10.83-1-45	12/24/2019	\$1,515.58	\$169.74	\$167.02	\$18.53				\$1,870.87	\$0.00
Cohoes	340 Saratoga Street	10.83-3-30	12/24/2019	\$1,568.62							\$1,568.62	\$0.00
Cohoes	54 Ontario Street	11.62-1-11	12/24/2019	\$985.13							\$985.13	\$0.00
Cohoes	5 Sargent Street	10.15-4-16	9/25/2019	\$252.59							\$252.59	\$0.00
Cohoes	140 Main Street	10.75-3-37	9/25/2019	\$73.25							\$73.25	\$0.00
Cohoes	213 Central Avenue	20.8-1-13	9/25/2019	\$103.56							\$103.56	\$0.00
Cohoes	52 Amity Street	10.15-2-20	9/25/2019	\$2,253.16	\$54.02	\$53.99	\$5.95				\$2,367.12	\$0.00
Cohoes	22 Devilin Street	10.7-5-46	9/25/2019	\$1,624.19	\$53.10	\$53.10	\$5.86				\$1,736.25	\$0.00
Cohoes	61 Main Street	10.67-1-28	9/25/2019	\$1,187.20	\$53.10	\$53.10	\$5.86				\$1,299.26	\$0.00
Colonie	36 Ferrara Avenue	16.6-2-11	9/12/2016			\$0.20					\$0.20	\$0.00
Colonie	42 South Kellogg Ave	16.7-2-52	2/1/2017			\$0.20					\$0.20	\$0.00
Colonie	15A Jones Drive	17.7-1-11	2/1/2017			\$0.20					\$0.20	\$0.00
Colonie	19 Mt. Riga Avenue	31.8-1-12	2/1/2017			\$0.20					\$0.20	\$0.00
Colonie	58A Arcadia Court	53.10-1-53.1	8/30/2018			\$0.10					\$0.10	\$0.00
Colonie	71 Lancaster	16.6-3-33	9/12/2016			\$0.40					\$0.40	\$0.00
Colonie	78 Ahl Avenue	42.15-1-23	11/22/2019	\$990.60	\$2,390.63	\$287.39					\$3,668.62	\$0.00
Colonie	23 Shepard Avenue	16.7-9-16	9/25/2019	\$694.84	\$28.58	\$287.39					\$1,010.81	\$0.00
Colonie	13 Spruce Street	53.5-2-21	9/25/2019	\$922.28	\$150.32	\$287.39					\$1,359.99	\$0.00
Colonie	171 Troy Schenectady Rd	32.1-2-5.2	1/31/2019	\$3,053.25	\$81.00	\$287.39					\$3,421.64	\$0.00
Colonie	62 Shepard Avenue	16.8-1-44	2/1/2017			\$43.73					\$43.73	\$0.00
Rensselaerville	2638 SR 145	181-2-18	10/31/2019	\$2,281.83							\$2,281.83	\$0.00
Albany	4 Madison Pl	76.49-1-8	4/10/2019	\$428.09							\$428.09	\$0.00
Albany	11 Jeannette Street	76.61-2-29	9/25/2019	\$1,312.50							\$1,312.50	\$0.00
Albany	24 Judson Street	65.55-6-38	9/25/2019	\$216.35							\$216.35	\$0.00
Albany	24 Van Zandt Street	76.49-3-22	9/25/2019	\$76.70				\$88.11			\$164.81	\$0.00
Albany	27 Fulton Street	76.49-3-17	9/25/2019	\$117.73				\$17.52			\$135.25	\$0.00
Albany	48 Bassett Street	76.65-5-11	8/1/2019	\$216.35							\$216.35	\$0.00
Albany	50 Bassett Street	76.65-5-10	8/1/2019	\$7.21							\$7.21	\$0.00
Albany	52 Emmet Street	65.52-1-43	1/1/2020	\$72.11	\$122.30						\$194.41	\$0.00
Albany	59 Judson Street	65.56-1-44	4/16/2019		\$241.12						\$241.12	\$0.00
Albany	64 N Lake Avenue	65.62-1-60	9/25/2019	\$337.13					\$486.39		\$823.52	\$0.00
Albany	68 N Lake Avenue	65.63-3-75	9/25/2019	\$1,641.35							\$1,641.35	\$0.00
Albany	92 Henry Johnson Blvd	65.72-5-1	9/25/2019	\$288.46							\$288.46	\$0.00
Albany	123 Fourth Avenue	76.65-2-40	9/25/2019	\$432.69							\$432.69	\$0.00
Albany	145 Grand Street	76.57-1-40	9/25/2019	\$706.73	\$392.28						\$1,099.01	\$0.00







**RESOLUTION NO. 275**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE  
FEDERAL EMERGENCY MANAGEMENT AGENCY REGARDING PUBLIC  
ASSISTANCE GRANT FUNDING**

Introduced: 8/10/20

By Audit and Finance Committee:

WHEREAS, The County Executive has requested authorization to submit a grant application to the Federal Emergency Management Agency (FEMA) regarding the Public Assistance Grant Program, and

WHEREAS, The County Executive has indicated that the funding from FEMA would be used to support Albany County's ongoing response efforts regarding the Coronavirus pandemic, such as management costs, emergency medical care services, medical sheltering, purchase and distribution of food throughout the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the Federal Emergency Management Agency (FEMA) regarding the Public Assistance Grant Program, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application as to form and content, and, be it further .

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**RESOLUTION NO. 276**

**REQUESTING THE ALBANY COUNTY COMPTROLLER AND THE COMMISSIONER OF HUMAN RESOURCES TO REVIEW THE ALBANY COUNTY RULES AND REGULATIONS FOR EMPLOYEES AND PROVIDE RECOMMENDATIONS CONCERNING TIMEKEEPING PRACTICES**

Introduced: 8/10/20

By Messrs. A. Joyce and Feeney:

WHEREAS, This Honorable Body has adopted the Rules and Regulations for Albany County Employees, as amended, governing County Employees not otherwise subject to a collective bargaining agreement, and

WHEREAS, By Resolution No. 455 for 1997, this Honorable Body authorized the purchase and implementation of the Kronos Time and Attendance Management System to streamline the process of timekeeping for employee records consistent with the Rules and Regulations for Albany County Employees, and

WHEREAS, Issues have been raised regarding the current timekeeping practices of Albany County, and

WHEREAS, The Albany County Comptroller issued a Final Report regarding an audit of time and attendance records for employees of Albany County, which included various recommendations, and

WHEREAS, It is important that this Honorable Body be advised on potential modifications to the current timekeeping practices in order to best serve the interests of the taxpayers and the efficient operation of county government, and

WHEREAS, The Albany County Comptroller and the Commissioner of the Department of Human Resources are best situated to advise this Honorable Body on this issue, now, therefore be it

RESOLVED, By the Albany County Legislature, that the Albany County Comptroller and the Commissioner of the Department of Human Resources are hereby requested to conduct a review of the issues presented in the Comptroller's Final Report, and to report back to the Albany County Legislature on potential modifications to the Rules and Regulations for Albany County Employees regarding the current timekeeping process, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

## LOCAL LAW NO. "B" FOR 2020

### A LOCAL LAW OF THE COUNTY OF ALBANY TO PROHIBIT WASTE BURNING AND TO PROTECT THE CLEAN AIR OF ALBANY COUNTY

Introduced: 2/10/20

By Messrs. Reinhardt, Miller, Mss. Cunningham, Plotsky, Messrs. Kuhn, A. Joyce, Ms. Chapman, Messrs. Bruschi, Clay, Cleary, Efekoro, Fein, Mss. Lekakis, McLaughlin, McLean Lane, Messrs. Reidy, Peter and Simpson:

#### Section 1: TITLE

This Local Law shall be known as the "Albany County Clean Air Law."

#### Section 2: STATUTORY AUTHORIZATION

This Local Law is hereby adopted pursuant to the provisions of the New York Municipal Home Rule Law § 10(1)(ii)(a)(11), the Clean Air Act (42 U.S.C. § 7416), the Resource Conservation and Recovery Act (42 U.S.C. § 6929), New York State Air Pollution Control Act (Environmental Conservation Law §§ 19-0703 and 19-0709), and New York State Environmental Conservation Law § 27-0711.

#### Section 3: INTENT

It is the intent of this Local Law to promote and protect the public health and welfare of the residents of Albany County by prohibiting the burning or related processing of Waste.

#### Section 4: DEFINITIONS

As used in this Local Law, the following terms shall have the following meanings:

- A. NEW WASTE DISPOSAL FACILITY** shall mean any non-residential facility that, after the effective date of this Local Law:
- 1) disposes of Waste, uses Waste to heat an industrial process, or uses Waste to produce energy (heat, electricity, or a burnable fuel), and
  - 2) accomplishes this through the combustion of Waste (or gases produced on-site from the burning, gasification or pyrolysis of such Waste), or by producing a solid, liquid and/or gaseous fuel product through conversion of Waste.
  - 3) A New Waste Disposal Facility does not include:
    - i. landfills,
    - ii. publicly owned treatment works,
    - iii. anaerobic digesters,
    - iv. facilities burning landfill gas or gas produced from anaerobic digestion, unless they are also burning Waste,

- v. systems used exclusively for on-site space heating purposes at a residential home,
  - vi. manufacturing facilities that, on a consistent basis as part of their operations, have, prior to the effective date of this law, burned Waste generated on-site from their own manufacturing process, and plan to continue burning the same types of Waste, or
  - vii. facilities which maintain valid permits identifying the types of Waste contained in this law which were lawfully disposing of such types of Waste through the combustion process pursuant to such permits in the 12 months preceding the effective date of this local law.
- B. **RESPONSIBLE OFFICIAL** shall mean the natural person who is on file with the New York State Department of Environmental Conservation (DEC) as the Responsible Official, as defined in 6 NYCRR 201-2(b)(28). If no such individual properly meeting that definition is currently on file with DEC, the Responsible Official shall be the owner of the New Waste Disposal Facility. If the owner is a business entity, then the Responsible Official(s) shall be the person or persons sharing the highest level of decision-making power within the business entity.
- C. **PERSON** shall mean any natural person, general or limited partnership, corporation, limited liability company, limited liability partnership, firm, association or organization, trust or other legal entity, or any combination thereof, and the agent(s) or employee(s) thereof.
- D. **BURNING AND/OR PROCESSING** shall mean any type of combustion process involving any waste, including for use as a fuel in recovering useable energy.
- E. **COMBUSTION** shall mean the thermal treatment of waste in a device which uses elevated temperatures as the primary means to change the chemical, physical, or biological character or composition of the waste. Examples of the combustion process include incineration, pyrolysis, and fluidized bed.
- F. **WASTE** shall mean:
- i. all putrescible and non-putrescible materials or substances discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water control facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris, discarded automobiles and offal but not including sewage and other highly diluted water carried materials or substances and those in gaseous form;
  - ii. solid waste as defined by 6 NYCRR 360.2(a) and 42 USC 6903(27);
  - iii. biosolids;
  - iv. hazardous waste as defined by NY Environmental Conservation Law § 27-0901(3);

- v. waste as defined by NY Environmental Conservation Law § 27-0901(11);
- vi. aqueous film-forming foam that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS);
- vii. low-level radioactive waste as defined by N.Y. Environmental Conservation Law § 29-0101(1);
- viii. high-level radioactive waste;
- ix. transuranic waste;
- x. regulated medical waste as defined by NY Environmental Conservation Law § 27-1501(1);
- xi. automobile shredder residue;
- xii. discarded automobiles;
- xiii. waste tires as defined by NY Environmental Conservation Law § 27-1901(13);
- xiv. plastics, or any material that has been source separated for recycling or composting purposes;
- xv. pharmaceutical wastes or expired pharmaceuticals;
- xvi. disaster debris;
- xvii. electronic wastes;
- xviii. processed engineered fuel;
- xix. refuse derived fuels;
- xx. any material determined by the U.S. Environmental Protection Agency or New York state agency to be a non-hazardous secondary material, or
- xxi. the solid residue of any air or water pollution control device.

## **Section 5: PROHIBITION**

- A. No person shall be permitted to burn or otherwise use the combustion process to dispose of Waste at a New Waste Disposal Facility in Albany County.

## **Section 6: PENALTIES FOR OFFENSES**

- A. Failure to comply with any of the provisions of this Local Law shall be a violation as contemplated by Article 10 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine of up to \$2,000 or imprisonment of the Responsible Official for not more than 10 days, or both, for the first offense. A second offense shall be a misdemeanor as contemplated by Article 10 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine up to \$5,000 or imprisonment of the Responsible Official for a period of not more than 30 days, or both. All subsequent offenses shall be a misdemeanor punishable of a fine up to \$10,000 or imprisonment of the Responsible Official for a period of not more than 50 days, or both. For purposes of this subsection, each day of noncompliance with this Local Law shall constitute a separate and distinct offense.
- B. Injunctions; concurrent remedies.

- i. In addition to any other remedy provided herein, the County of Albany may institute a suit in equity where unlawful conduct exists for an injunction to restrain a violation of this article.
  - ii. In addition, any officer enforcing this law may issue stop work orders or compliance notices relative to any violation of this Local Law.
  - iii. The penalties and remedies prescribed by this article shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the County of Albany from exercising any other remedy provided herein or otherwise provided at law or equity.
  - iv. The terms and provisions of this article are to be liberally construed, so as best to achieve and effectuate the goals and purposes hereof.
- C. In the event the County desires or is required to take legal action to enforce this Local Law, the violator will be responsible for any and all necessary costs and expenses incurred by the County relative thereto, including attorneys', engineering, consulting, and experts' fees; provided, however, any responsibility or liability therefor, and the amount thereof, shall be determined by a court or other tribunal of competent jurisdiction, and this clause shall be interpreted, construed, and applied only to the maximum extent permitted by applicable law.

## **Section 7: ENFORCEMENT AND ADMINISTRATION**

Enforcement of this Local Law shall be the responsibility of the law enforcement agencies within the County.

## **Section 8: SEVERABILITY**

If any provisions of this Local Law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this Local Law shall remain in effect.

## **Section 9: EFFECTIVE DATE**

This Local Law shall take effect upon filing with the Secretary of State.

*Referred to Law and Conservation, Sustainability and Green Initiatives  
Committees – 2/10/20*

*Favorable Recommendation Conservation, Sustainability and Green Initiatives  
Committee – 7/29/30*

*Favorable Recommendation Law Committee – 7/29/30*

## LOCAL LAW NO. "D" FOR 2020

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW 3 FOR 2010 AND AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LEASE AGREEMENT OF PROPERTY OWNED BY ALBANY COUNTY WITH THE SHAKER HERITAGE SOCIETY NOT TO EXCEED FIFTY YEARS, SUBJECT TO THE APPROVAL OF THE ALBANY COUNTY LEGISLATURE

Introduced: 6/8/20

By Messrs. Bruschi, A. Joyce, Feeney, Beston, Ms. Chapman, Messrs. Clay, Cleary, Efekoro, Ethier, Fein, R. Joyce, Kuhn, Ms. Lekakis, Mr. Mayo, Ms. McLaughlin, Messrs. Miller, O'Brien, Peter, Reidy, Reinhardt, Ricard, Smith, Ward and Ms. Willingham:

BE IT ENACTED by the County Legislature of the County of Albany, pursuant to Section 33 of the Municipal Home Rule Law, as follows:

#### SECTION 1. Repeal of Local Law 2 for 2010

Local Law 2 for 2010, "A Local Law of the County of Albany, New York Authorizing the County Executive to Negotiate a Lease Agreement of Property Owned by Albany County with the Shaker Heritage Society, Subject to the Approval of the Albany County Legislature" is repealed.

#### SECTION 2. Direct Lease

Notwithstanding Section 215 of the New York State County Law, the County Executive of Albany County is hereby authorized to negotiate lease agreements for real and personal property owned by Albany County with the Shaker Heritage Society for an original term not to exceed fifty (50) years, said lease term to be coterminous with any initial funding repayment term, subject to the approval by the Albany County Legislature.

#### SECTION 3. Severability

If any article, section, subsection, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

#### SECTION 4. Effective Date

This Local Law is adopted subject to permissive referendum pursuant to Section 24 of the New York State Municipal Home Rule Law.

*Referred to Audit and Finance and Public Works Committees – 6/8/20*  
*Favorable Recommendation Audit and Finance Committee – 7/30/20*



**RESOLUTION NO. 194**

**A RESOLUTION AMENDING RESOLUTION 283 FOR 1992, AS SUBSEQUENTLY AMENDED, TO RESTORE THE COMMITTEE TO FILL VACANCIES IN RESPONSE TO THE COVID-19 RELATED HEALTH EMERGENCY AND UNCERTAINTY IN THE BUDGETARY REALITIES CAUSED BY CURRENT THE GLOBAL PANDEMIC.**

Introduced: 05/11/20

By Messrs. A. Joyce, Peter, O'Brien, Ricard and Ms. Willingham:

WHEREAS, By Resolution No. 283 for 1992, the Albany County Legislature created a Committee to Fill Vacancies, consisting of a representative from the County Executive's Office, County Comptroller's Office and Office of Employee Relations to determine whether vacant positions then existing or coming into existence should be filled while the County faced a substantial shortfall in revenues generated from local sales taxes due to a national recession, and

WHEREAS, Those same harrowing economic realities exist today as a result of the COVID-19 related global pandemic, and

WHEREAS, As recently as last year, the County and nation were on better economic footing, which caused the previous review of the Committee to Fill Vacancies to lapse, and

WHEREAS, At this critical time, this Honorable Body believes it necessary to take into consideration potential revenue shortfalls prior to the filling of any vacant County positions, and

WHEREAS, This Honorable Body recognizes the need to hire employees to fill critical and necessary positions, however, before a position is available to be filled, the decision to hire needs to be reviewed and approved by the Committee to Fill Vacancies for its approval, and

WHEREAS, Meaningful review of salary lines can occur without the need to place an official freeze on hiring within the County, and

WHEREAS, To sensibly effect such a review and approval process, the Committee to Fill Vacancies, as originally envisioned and set forth, needs to be expanded to include oversight so that the Legislature might perform its budgetary responsibilities to determine whether continued funding of vacant positions is appropriate, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Committee to Fill Vacancies as established in Resolution No. 283 for 1992, and as subsequently amended, is hereby reestablished to include a representative from the County Executive's Office,

County Comptroller's Office and Office of Employee Relations, as voting members, in addition to the Chairs of the Personnel and Audit & Finance Committees of the Legislature (or their designees) as ex officio non-voting members, so that they may closely monitor the fiscal impact of any vacant positions being filled within the County, and be it further

RESOLVED, That regarding personnel positions within the following budget accounts, elected officials are exempt from review of the Committee to Fill Vacancies: County Clerk under Budget Accounts A1410 and A1411; County Comptroller under Budget Account A1315 County Coroners under Budget Account A1185; District Attorney under Budget Account A1165; County Executive under Budget Account A1230; County Legislature under Budget Account A1010; and the County Sheriff under Budget Accounts A3020, A3110, and A3150, and be it further

RESOLVED, that in order to increase the information available to this Legislative Body so that the Legislature might perform its budgetary responsibilities to determine whether continued funding of vacant positions is appropriate, the reporting requirements of the Committee to Fill Vacancies are as follows: all County employee resignations, deaths, retirements, promotions or other circumstances resulting in a funded position being vacant are to be reported by the Committee to Fill Vacancies to the Leadership Group (consisting of the Chairman, Majority and Minority Leaders); the Committee to Fill Vacancies shall also provide to the Leadership Group copies of all requests to fill vacancies from Departments and agendas which shall be developed by the Committee with all back-up relating to each vacancy and proposed hiree, and be it further

RESOLVED, That the Committee to Fill Vacancies shall take into consideration the fiscal consequences of filling any vacant position until the realities of this economic restlessness are able to be realized, and be it further

RESOLVED, That within sixty days of the adoption of this resolution, the Committee to Fill Vacancies be and hereby is requested to report to the County Legislature the steps taken to reduce the fiscal impact associated with filling vacant positions, and be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Referred to Personnel and Audit and Finance Committees – 5/11/20*

*Favorable Recommendation Personnel Committee – 5/28/20*

*Favorable Recommendation Audit and Finance Committee – 5/28/20*

*Referred to Law Committee – 6/8/20*

*Favorable Recommendation Law Committee – 6/25/20*

*On a long roll call vote, the following members voted in favor: Messrs. Beston, Bruschi, Ms. Chapman, Messrs. Clay, Cleary, Ms. Cunningham, Messrs. Ethier,*

*Feeney, Fein, A. Joyce, R. Joyce, Kuhn, Ms. Lekakis, Mr. Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, O'Brien, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Simpson, and Ms. Willingham - 25*

*Those opposed: Messrs. Burgdorf, Commisso, Domalewicz, Drake, Efekoro, Grimm, Langdon, Ms. Lockart, Messrs. Mauriello, Perlee, Smith, Tunny, Ward and Ms. Whalen - 14*

*Resolution was adopted. – 7/13/20*

*Resolution was vetoed by the County Executive – 7/23/20*