

# **County of Albany**

Harold L. Joyce  
Albany County Office Building  
112 State Street - Albany, NY 12207



## **Meeting Agenda**

**Monday, February 8, 2021**

**7:00 PM**

**Held Remotely**

**County Legislature**

**Call to Order**

**Roll Call**

**Proclamations**

**PREVIOUS BUSINESS**

- 384.** AN ACT PERTAINING TO THE ALBANY COUNTY PLANNING BOARD AND CONSIDERATION OF CRITICAL VIEWSHEDS OF THE HELDERBERG ESCARPMENT

**Sponsors:** Perlee, Plotsky, Simpson, Smith, Miller, Reinhardt, Efekoro, Fein, Lockart, Tunny and A. Joyce

**CURRENT BUSINESS:**

- 8.** AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM REGARDING CUSTODIAL AND BUILDING MAINTENANCE SERVICES FOR THE ALBANY COUNTY COURT HOUSE, JUDICIAL CENTER AND FAMILY COURT

**Sponsors:** Public Works Committee

- 9.** AMENDING RESOLUTION NO. 58 FOR 2016 REGARDING THE RENOVATION AND REHABILITATION OF THE SHAKER SITE BUILDINGS

**Sponsors:** Public Works Committee

- 10.** AUTHORIZING AN AGREEMENT WITH INTERNATIONAL DIOXIDE, INC. REGARDING ODOR CONTROL FOR THE WATER PURIFICATION DISTRICT

**Sponsors:** Public Works Committee

- 11.** AUTHORIZING AGREEMENTS WITH NATIONAL GRID REGARDING THE PURCHASE OF COUNTY OWNED STREETLIGHTS AND AMENDING THE 2021 ALBANY COUNTY BUDGET

**Sponsors:** Public Works Committee, Beston, O'Brien, Cleary, Fein, Peter, Reinhardt, Burgdorf, Perlee and Bruschi

12. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE INSTALLATION OF FENCING AND GATES AT THE TIMES UNION CENTER

**Sponsors:** Public Works Committee

13. AUTHORIZING AN AGREEMENT WITH TRINITY ALLIANCE OF THE CAPITAL REGION, INC. REGARDING THE PROVISION OF FAMILY AND NEIGHBORHOOD RESOURCE CENTER SERVICES

**Sponsors:** Social Services Committee

14. AUTHORIZING AN AGREEMENT AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: REDLICH HORWITZ FOUNDATION GRANT

**Sponsors:** Social Services Committee

15. AUTHORIZING THE SUBMISSION OF A SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

**Sponsors:** Social Services Committee

16. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES REGARDING CHILD ABUSE AND SUBSTANCE ABUSE DISORDERS

**Sponsors:** Social Services Committee

17. AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: GRANT FUNDING

**Sponsors:** Social Services Committee

18. AUTHORIZING AGREEMENTS REGARDING THE CHILDREN'S ADVOCACY CENTER

**Sponsors:** Social Services Committee

19. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING REIMBURSEMENT FOR ADMINISTRATIVE COSTS PERTAINING TO THE EARLY INTERVENTION PROGRAM

**Sponsors:** Social Services Committee

20. AMENDING RESOLUTION NO. 16 FOR 2020 REGARDING THE PROVISION OF KIOSKS FOR SNAP BENEFIT APPLICANTS AND RECIPIENTS

**Sponsors:** Social Services Committee

21. AUTHORIZING AGREEMENTS WITH PROVIDERS OF HOME ESTABLISHMENT FURNISHINGS

**Sponsors:** Social Services Committee

22. AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TREASURY REGARDING RENTAL ASSISTANCE DURING COVID-19 AND AMENDING THE 2021 DEPARTMENT OF SOCIAL SERVICES BUDGET

**Sponsors:** Social Services Committee, Audit and Finance Committee, A. Joyce, Fein, Simpson, McLaughlin and Domalewicz

23. APPROVING THE DESIGNATION OF THE ALBANY COUNTY SOIL AND WATER CONSERVATION DISTRICT TO ADMINISTER THE NATIONAL GRID 10,000 TREES AND GROWING PROGRAM FOR ALBANY COUNTY

**Sponsors:** Conservation, Sustainability and Green Initiatives Committee, Reinhardt, Efekoro, Fein, Miller, Plotsky, Simpson, Lockart and Tunny

24. AUTHORIZING AGREEMENTS REGARDING THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

**Sponsors:** Elder Care Committee

25. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE INDUSTRIES FOR THE DISABLED REGARDING ANCILLARY LAUNDRY SERVICES FOR ELIGIBLE INDIVIDUALS IN THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

**Sponsors:** Elder Care Committee

26. AUTHORIZING AN AGREEMENT WITH BIO-REFERENCE LABORATORIES, INC. REGARDING COVID-19 TESTING

**Sponsors:** Elder Care Committee

27. AUTHORIZING AN AGREEMENT WITH COMPREHENSIVE HEALTHCARE SOLUTIONS REGARDING BILLING AND DEBT COLLECTION SERVICES

**Sponsors:** Elder Care Committee

28. AUTHORIZING AN AGREEMENT WITH CDPHP REGARDING A DONATION TO SHAKER PLACE REHABILITATION AND NURSING CENTER AND AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET

**Sponsors:** Elder Care Committee

29. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES REGARDING THE VICTIM AND WITNESS ASSISTANCE PROGRAM GRANT

**Sponsors:** Law Committee

30. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING RAPE CRISIS SERVICES AND PREVENTION PROGRAMMING

**Sponsors:** Law Committee

31. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND AN INTERDEPARTMENTAL AGREEMENT REGARDING THE STOP VIOLENCE AGAINST WOMEN ACT GRANT

**Sponsors:** Law Committee

32. AUTHORIZING AN AGREEMENT WITH ELLIS HOSPITAL REGARDING MORGUE AND LABORATORY SERVICES

**Sponsors:** Health Committee

33. AUTHORIZING THE RENEWAL OF A CONTRACT FOR RE-ENTRY SERVICES WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

**Sponsors:** Health Committee

34. AUTHORIZING AN AGREEMENT WITH THE HOMELESS AND TRAVELERS AID SOCIETY REGARDING CASE MANAGEMENT SERVICES FOR THE COUNTY RE-ENTRY PROGRAM

**Sponsors:** Health Committee

35. AUTHORIZING AN AGREEMENT WITH INFORMATION MANAGEMENT ASSOCIATES REGARDING PATIENT AND BILLING SOFTWARE AT THE DEPARTMENT OF MENTAL HEALTH

**Sponsors:** Health Committee

36. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE EXPLOSIVE DETECTION CANINE TEAM PROGRAM

**Sponsors:** Public Safety Committee

37. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE GRANT PROGRAM

**Sponsors:** Public Safety Committee

38. AUTHORIZING AN AGREEMENT WITH CENTRAL SQUARE TECHNOLOGIES REGARDING THE REPLACEMENT OF E911 COMPUTERS WITHIN ALBANY COUNTY

**Sponsors:** Public Safety Committee

39. AUTHORIZING AN AGREEMENT WITH TECHNICAL BUILDING SERVICES FOR THE PUBLIC SAFETY BUILDING IN CLARKSVILLE

**Sponsors:** Public Safety Committee

40. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 CYBER SECURITY GRANT FOR THE ALBANY COUNTY SHERIFF'S OFFICE

**Sponsors:** Public Safety Committee

41. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 CYBER SECURITY GRANT FOR THE ALBANY COUNTY DIVISION OF INFORMATION SERVICES

**Sponsors:** Public Safety Committee

42. CONFIRMING THE APPOINTMENT OF A MEMBER TO THE ALBANY COUNTY AIRPORT AUTHORITY

**Sponsors:** Personnel Committee

43. AUTHORIZING THE OFFICES OF THE PUBLIC DEFENDER AND ALTERNATE PUBLIC DEFENDER TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF ASSISTANT ALBANY COUNTY PUBLIC DEFENDER AND ASSISTANT ALTERNATE ALBANY COUNTY PUBLIC DEFENDER

**Sponsors:** Personnel Committee

44. AMENDING THE 2021 SHERIFF'S OFFICE BUDGET REGARDING THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES STATEWIDE INTEROPERABILITY COMMUNICATIONS GRANT

**Sponsors:** Audit and Finance Committee

45. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE TOWN OF COLONIE

**Sponsors:** Audit and Finance Committee

46. AMOUNT LEVIED FOR UNPAID WATER AND SEWER CHARGES IN THE CITY OF COHOES

**Sponsors:** Audit and Finance Committee

47. AMOUNTS LEVIED FOR OTHER CHARGES FOR THE CITY OF COHOES

**Sponsors:** Audit and Finance Committee

48. AUTHORIZING THE LEVY UPON THE CITY OF COHOES PROPERTY OF THE AMOUNT NEEDED FOR VARIOUS PURPOSES

**Sponsors:** Audit and Finance Committee

49. AUTHORIZING THE CONVEYANCE OF 76 THIRD STREET (TAX MAP NO. 65.74-3-7) AND 89 THIRD STREET (TAX MAP NO. 65.74-2-7) IN THE CITY OF ALBANY

**Sponsors:** Audit and Finance Committee

50. AUTHORIZING THE CANCELLATION AND CHARGE BACK OF AN UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIEN ON 46 GOOGAS ROAD IN THE TOWN OF BETHLEHEM

**Sponsors:** Audit and Finance Committee

51. AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

**Sponsors:** Audit and Finance Committee

52. AMENDING RESOLUTION NO. 494 FOR 2020 FOR A CUSTOMER PROJECT COMMITMENT AGREEMENT WITH THE NEW YORK POWER AUTHORITY REGARDING THE STREETLIGHT CONVERSION PROJECT

**Sponsors:** Audit and Finance Committee

53. DESIGNATING FEBRUARY 2021 AS "AFRICAN AMERICAN HISTORY MONTH" IN ALBANY COUNTY

**Sponsors:** Clay, Chapman, Efekoro, Fein, McLaughlin, Simpson, Willingham, A. Joyce and Feeney



54. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO RECOGNIZE JUNETEENTH AS A COUNTY HOLIDAY

**Sponsors:** Clay, Chapman, Efekoro, Fein, McLaughlin, Simpson, Willingham, A. Joyce and Feeney

55. REAPPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES

**Sponsors:** Feeney

56. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

**Sponsors:** Lekakis, Ethier, Kuhn and A. Joyce

57. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "A" FOR 2021: A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY

**Sponsors:** Efekoro

58. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-A (SUBD. 2 (B)) TO BE VACANT AND ABANDONED

**Sponsors:** Peter and McLaughlin

59. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2021 A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM

**Sponsors:** Efekoro

**LOCAL LAWS:**

LOCAL LAW NO. "J" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, LIMITING THIRD-PARTY FOOD DELIVERY SERVICES DURING A DECLARED EMERGENCY

**Sponsors:** Fein, Peter, Reidy, McLaughlin, Willingham, Plotsky, Efekoro, O'Brien, Reinhardt, Miller, Domalewicz, Cunningham, McLean Lane, Simpson, Ricard, A. Joyce, Lekakis, R. Joyce, Chapman, Cleary and Feeney

LOCAL LAW NO. "A" FOR 2021: A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY

**Sponsors:** Efekoro

LOCAL LAW NO. "B" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-a (SUBD. 2(B)) TO BE VACANT AND ABANDONED

**Sponsors:** Peter and McLaughlin

LOCAL LAW NO. "C" FOR 2021: A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM

**Sponsors:** Efekoro, Lekakis, Miller and A. Joyce

LOCAL LAW NO. "D" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, THE RESTAURANT PROTECTION LAW, IN RELATION TO THIRD-PARTY DELIVERY SERVICES

**Sponsors:** Grimm and Mauriello

**Adjournment**

## RESOLUTION NO. 384 FOR 2020

### AN ACT PERTAINING TO THE ALBANY COUNTY PLANNING BOARD AND CONSIDERATION OF CRITICAL VIEWSHEDS OF THE HELDERBERG ESCARPMENT

Introduced: 11/9/20

By: Messrs. Perlee, Reinhardt, Ms. Plotsky, Messrs. Simpson, Smith, Miller, Efekoro, Fein, Ms. Lockart, Messrs. Tunny and A. Joyce:

WHEREAS, Albany County, pursuant to Article 11 of its Charter created a County Planning Board, and

WHEREAS, The Board is “advisory to and assist(s) the County Legislature ... on matters related to comprehensive metropolitan, regional, county and municipal planning and in performing the duties and responsibilities conferred upon a county planning board by Article 12-B of the General Municipal Law and on such other related matters as shall be required or requested by the County Legislature.” (Albany County Charter Article 11, § 1103), and

WHEREAS, Albany County contains within its borders a variety of unique scenic and geological features of inestimable value to the County and the quality of life of its citizens, including the famous Helderberg Escarpment, and

WHEREAS, Viewsheds of the Helderberg Escarpment from the Hudson Valley are of great economic, historic and cultural importance to residents and properties within the Towns of Guilderland, New Scotland and Bethlehem in particular, and

WHEREAS, Residents of the aforementioned towns consider viewsheds of the Helderberg Escarpment to be a critical natural asset and wish to guide development to avoid unnecessary impacts upon the views of the escarpment, to the extent possible, and

WHEREAS, The Albany County Planning Board is tasked with bringing “pertinent inter-community and county-wide planning, zoning, site plan and subdivision questions to the attention of neighboring municipalities and agencies having jurisdiction, including protection of community character as regards predominate land uses” (General Municipal Law § 239-L (2) (d)), now, therefore, be it

RESOLVED, That the Albany County Legislature requests that the Albany County Planning Board, as part of its subdivision, site plan, zoning, and other review, pay particular attention to “viewsheds” and “important views” pertaining to the Helderberg Escarpment, and identify and consider adverse impacts upon views

and possible mitigation of those impacts when preparing its comments to each General Municipal Law referring agency, and be it further

RESOLVED, That the Albany County Department of Economic Development, Conservation and Planning is requested to prepare and provide to the Legislature a Scenic Resources Assessment and Viewshed Inventory for the primary public roadway corridors and priority viewsheds within the Towns of Guilderland, New Scotland and Bethlehem, 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. 8

### **AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM REGARDING CUSTODIAL AND BUILDING MAINTENANCE SERVICES FOR THE ALBANY COUNTY COURT HOUSE, JUDICIAL CENTER AND FAMILY COURT**

Introduced: 2/8/21

By Public Works Committee:

WHEREAS, By Resolution No. 453 for 2018, this Honorable Body authorized a five-year agreement with the New York State Unified Court System in the amount of \$3,657,410 for the provision of custodial services, building maintenance, and minor repairs at the Albany County Court House, Judicial Center and Family Court for a term commencing April 1, 2018 and ending March 31, 2023, with a provision for a separate one-year contract for each year, and

WHEREAS, The Commissioner of the Department of General Services has indicated that New York State requires the County to authorize each individual year by resolution, and

WHEREAS, The Commissioner has requested authorization to execute the third year of the aforementioned agreement with the New York State Unified Court System for the provision of custodial services, building maintenance and minor repairs at the aforementioned locations in the amount of \$709,061 for a term commencing April 1, 2020 and ending March 31, 2021, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into the third year of the aforementioned five-year agreement with New York State Unified Court System for the provision of custodial services, building maintenance and minor repairs at the aforementioned locations in the amount of \$709,061 for a term commencing April 1, 2020 and ending March 31, 2021, 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. 9**

**AMENDING RESOLUTION NO. 58 FOR 2016 REGARDING THE  
RENOVATION AND REHABILITATION OF THE SHAKER SITE BUILDINGS**

Introduced: 2/8/21

By Public Works Committee:

WHEREAS, By Resolution No. 58 for 2016, this Honorable Body authorized an agreement with the New York State Regional Economic Development Council regarding the administration of the New York State Local Government Efficiency Grant in an amount not to exceed \$500,000 for a term commencing December 10, 2015 and ending December 9, 2020, and

WHEREAS, The Commissioner of the Department of General Services has requested an amendment to the aforementioned agreement to indicate an ending date of December 9, 2021 rather than December 9, 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 58 for 2016 regarding the administration of the New York State Local Government Efficiency Grant in an amount not to exceed \$500,000 is hereby amended to indicate an ending date of December 9, 2021 rather than December 9, 2020, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant and 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. 10

### **AUTHORIZING AN AGREEMENT WITH INTERNATIONAL DIOXIDE, INC. REGARDING ODOR CONTROL FOR THE WATER PURIFICATION DISTRICT**

Introduced: 2/8/21

By Public Works Committee:

WHEREAS, The Director of the Water Purification District has requested authorization to enter into an agreement with International Dioxide, Inc. regarding the supply of hydrogen sulfide/odor control oxidant necessary for the operations at the wastewater treatment facilities in an amount not to exceed \$350,000 for the term commencing March 1, 2021 and ending December 31, 2022, with the option for a one year renewal, and

WHEREAS, The Director has indicated that International Dioxide, Inc. will collect a fee of \$0.798 per pound of hydrogen sulfide/odor control oxidant used by the Water Purification District, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with International Dioxide, Inc., North Kingstown, RI 02852 regarding the supply of hydrogen sulfide/odor control oxidant to the wastewater treatment plants in an amount not to exceed \$350,000 for the term commencing January 1, 2021 and ending December 31, 2022, with the option for a one year renewal, 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. 11

### **AUTHORIZING AGREEMENTS WITH NATIONAL GRID REGARDING THE PURCHASE OF COUNTY OWNED STREETLIGHTS AND AMENDING THE 2021 ALBANY COUNTY BUDGET**

Introduced: 2/8/21

By Public Works Committee, Messrs. Beston, O'Brien, Cleary, Fein, Peter, Reinhardt, Burgdorf, Perlee and Bruschi:

WHEREAS, By Resolution No. 126 for 2019, this Honorable Body authorized a five-year Energy Services Program Master Cost Recovery Agreement with the New York Power Authority (NYPA) as a preliminary action necessary for the implementation of an aggregated streetlight conversion program and the associated purchase of streetlights and the installation of LED lighting in Albany County, and

WHEREAS, By Resolution No. 494 for 2020, this Honorable Body authorized the initial Customer Project Commitment with the NYPA for the purchase and conversion of approximately 105 County-owned streetlights throughout Albany County to new energy efficient LED streetlights in the amount of \$282,774 as amended, and

WHEREAS, The County Executive has requested authorization to enter into a Purchase and Sale agreement with National Grid regarding the aforementioned 105 County-owned streetlights which governs the terms and conditions of the sale in an amount not to exceed \$150,000, and

WHEREAS, The County Executive has also requested authorization to enter into a License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures which is necessary for any street lighting assets that will remain on National Grid electric facilities for a term consistent with the Customer's Service Agreement, and

WHEREAS, The County Executive has indicated that the NYPA is financing the purchase and conversion project for Albany County and will provide reimbursement for the full purchase price of \$150,000 for the streetlights, and

WHEREAS, The County Executive has also indicated that a budget amendment is necessary to incorporate said funds into the 2021 Department of Public Works Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a Purchase and Sale agreement with National Grid, Syracuse, NY 13202 regarding the aforementioned 105 County-owned streetlights which governs the terms and conditions of the sale in an amount not to exceed \$150,000, and, be it further



RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures which is necessary for any street lighting assets that will remain on National Grid electric facilities for a term consistent with the Customer's Service Agreement, and, be it further

RESOLVED, By the Albany County Legislature, that the 2021 Department of Public Works Budget is amended as follows:

Increase Revenue Account D3074 NYPA Streetlight Purchase Program by \$150,000

Increase Appropriation Account A5110.4 by \$150,000 by increasing line item D5110 4 4012 Streetlight Purchase Program by \$150,000

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. 12**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE INSTALLATION OF FENCING AND GATES AT THE TIMES UNION CENTER**

Introduced: 2/8/21

By Public Works Committee:

WHEREAS, The County Executive has requested authorization to submit an application for grant funding of up to \$32,750 to the New York State Department of Homeland Security and Emergency Services regarding the installation of fencing and gates at the Times Union Center, and

WHEREAS, The County Executive has indicated that the grant funds will be used to increase physical security at the Times Union Center, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application for grant funding of up to \$32,750 to the New York State Department of Homeland Security and Emergency Services regarding the installation of fencing and gates at the Times Union Center, and, be it further

RESOLVED, That the County Attorney is authorized to approve said application and 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. 13

### **AUTHORIZING AN AGREEMENT WITH TRINITY ALLIANCE OF THE CAPITAL REGION, INC. REGARDING THE PROVISION OF FAMILY AND NEIGHBORHOOD RESOURCE CENTER SERVICES**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Albany County Department for Children, Youth and Families has requested authorization to enter into an agreement with Trinity Alliance of the Capital Region, Inc. regarding the provision of Family and Neighborhood Resource Center (FNRC) services for the term commencing October 1, 2020 and ending September 30, 2021 in an amount not to exceed \$170,000, and

WHEREAS, The Commissioner has indicated that the funding, which requires a 30.5% County match, will be used to provide family stabilization through the provision of family strengthening primary, secondary and tertiary preventive measures, all aimed at preventing placement of children in foster care, mental health hospitalization and/or criminal justice involvement, and

WHEREAS, The Commissioner has further indicated the FNRC provides reunification support for families with individuals returning from incarceration or residential treatment, and the vast majority of over five hundred monthly consumers of the programming services are African-American, Latino/Hispanic, and from immigrant populations including Butanese, Burmese, and Iraqi, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Trinity Alliance of the Capital Region, Inc., Albany, NY 12202 regarding the provision of Family and Neighborhood Resource Center Services for the term commencing October 1, 2020 and ending September 30, 2021 in an amount not to exceed \$170,000, 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. 14**

**AUTHORIZING AN AGREEMENT AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: REDLICH HORWITZ FOUNDATION GRANT**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with Redlich Horwitz Foundation regarding grant funding in the amount of \$10,000 for the term commencing January 1, 2021 and ending December 31, 2021, and

WHEREAS, The Commissioner has indicated that the Redlich Horwitz Foundation Family First Implementation Grant will be used to purchase two Tableau Software subscriptions in connection with tracking data on the children in care, resources available to them and timeframes to reach permanency, and

WHEREAS, The Commissioner has further indicated the grant funding will also support program planning, foster parent recruitment, and certification to include but not be limited to foster parent recruitment materials, media campaign, and flexible funds to assist families in achieving certification such as household repairs or transportation, and

WHEREAS, The Commissioner has also requested an amendment to the 2021 DCYF Budget in order to incorporate said funding, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the Redlich Horwitz Foundation regarding kinship and foster parent recruitment support funding in the amount of \$10,000 for the term commencing January 1, 2021 and ending December 31, 2021, and, be it further

RESOLVED, By the Albany County Legislature that the 2021 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3407 Child Advocacy Center by \$10,000

Increase Appropriation Account A6119.4 by \$10,000 by increasing line item A6119 4 4046 Fees for Services by \$10,000

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. 15**

**AUTHORIZING THE SUBMISSION OF A SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to sign and submit a Supervision and Treatment Services for Juveniles Program Plan (STSJP) to the New York State Office of Children and Family Services (OCFS) in order to accept funding in the amount of \$172,722 to support programming at the Albany County Probation Department and Albany County Family Court for juvenile justice involved youth for a term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, The Commissioner has indicated that, due to recent changes to the Supervision and Treatment Services for Juveniles Program, Albany County is required to sign and submit a STSJP plan to the OCFS to receive allocated funding to support local programming and divert youth safely from unnecessary detention, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to sign and submit a Supervision and Treatment Services for Juveniles Program Plan to OCFS in order to accept funding in the amount of \$172,722 to support programming at the Albany County Probation Department and Albany County Family Court for juvenile justice involved youth for a term commencing October 1, 2020 and ending September 30, 2021, and, be it further

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

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

## RESOLUTION NO. 16

### **AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES REGARDING CHILD ABUSE AND SUBSTANCE ABUSE DISORDERS**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has been notified by the New York State Office of Children and Family Services (OCFS) that \$90,000 in federal Child Abuse Prevention and Treatment Act and Comprehensive Addiction and Recovery Act of 2016 funds are available to Albany County, and

WHEREAS, The Commissioner has indicated that no County share or in-kind match is required and that the grant funds will be used to hire a public health nurse or to formally partner with a local public health provider to support child protective services staff, and

WHEREAS, The Commissioner has requested authorization to submit a grant application to the OCFS in the amount of \$90,000 regarding the provision of support to child protective services staff in their response to families and infants affected by alcohol and substance abuse in Albany County for a term commencing from December 1, 2020 and ending November 30, 2021, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the OCFS in the amount of \$90,000 regarding the provision of support to child protective services staff in their response to families and infants affected by alcohol and substance abuse in Albany County for a term commencing from December 1, 2020 and ending November 30, 2021, 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. 17**

**AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: GRANT FUNDING**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, By Resolution No. 331 for 2019, this Honorable Body authorized an agreement with New York State Office of Children and Family Services regarding the acceptance of Family First Transition grant funds in the amount of \$53,905 for a term commencing April 1, 2019 and ending March 31, 2020, and

WHEREAS, By Resolution No. 54 for 2020, this Honorable Body authorized an agreement with Northern Rivers regarding the 30 Days to Families evidence-based family finding program in the amount of \$53,905 for a term commencing January 1, 2020 and ending December 31, 2020, and

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has indicated that \$15,138 of the program grant funding was utilized in the year 2020, and

WHEREAS, The Commissioner has requested an amendment to the 2021 DCYF Budget in the amount of \$38,767 to incorporate that grant funding which was not utilized in 2020, now, therefore be it

RESOLVED, By the Albany County Legislature, that the 2021 DCYF Budget is amended as follows:

Increase Revenue Account A3407 Child Advocacy Center by \$38,767

Increase Appropriation Account A6119.4 by \$38,767 by increasing line item A6119 4 4046 Fees for Services by \$38,767

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. 18

### AUTHORIZING AGREEMENTS REGARDING THE CHILDREN'S ADVOCACY CENTER

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with the New York State Office of Children and Family Services (OCFS) regarding the Children's Advocacy Center in the amount of \$159,560 for the term commencing February 1, 2021 and ending January 31, 2022, and

WHEREAS, The Commissioner has also requested authorization to renew an interdepartmental agreement with the Albany County Crime Victims and Sexual Violence Center (ACCVSVC) regarding the treatment of victims of child abuse cases in an amount not to exceed \$41,000 for the term commencing February 1, 2021 and ending January 31, 2022, and

WHEREAS, The Commissioner has also requested authorization to renew an agreement with the City of Albany Police Department for a part-time Law Enforcement Coordinator co-located at the Children's Advocacy Center who serves as the liaison between the Center and the multiple law enforcement agencies in Albany County and those outside of the County, to include the FBI and Homeland Security, in an amount not to exceed \$27,000 for a term commencing February 1, 2021 and ending January 31, 2022, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter an agreement with the OCFS regarding the aforementioned grant award in the amount of \$159,560 for the term commencing February 1, 2021 and ending January 31, 2022, and, be it further

RESOLVED, That the County Executive is also authorized to execute an interdepartmental agreement between the DCYF and the ACCVSVC in an amount not to exceed \$41,000 for the term commencing February 1, 2021 and ending January 31, 2022, and, be it further

RESOLVED, That the County Executive is also authorized to enter into an agreement with the City of Albany Police Department for a part-time Law Enforcement Coordinator co-located at the Children's Advocacy Center in an amount not to exceed \$27,000 for a term commencing February 1, 2021 and ending January 31, 2022, and, be it further



RESOLVED, That the Albany 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 State and County Officials.

## RESOLUTION NO. 19

### **AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING REIMBURSEMENT FOR ADMINISTRATIVE COSTS PERTAINING TO THE EARLY INTERVENTION PROGRAM**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to enter into an agreement with the NYS Department of Health (NYSDOH) regarding reimbursement for administrative costs related to the implementation of the Early Intervention Program in the amount of \$143,032 for a term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, The Commissioner has further indicated that Albany County will have the ability to claim State reimbursement for administrative costs pertaining to the provision of Early Intervention services for children under the age of three with a confirmed disability or established developmental delay as defined by the State, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the NYSDOH regarding reimbursement for administrative costs related to the implementation of the Early Intervention Program in an amount the amount of \$143,032 for a 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 State and County Officials.

**RESOLUTION NO. 20**

**AMENDING RESOLUTION NO. 16 FOR 2020 REGARDING THE PROVISION OF KIOSKS FOR SNAP BENEFIT APPLICANTS AND RECIPIENTS**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, By Resolution No. 16 for 2020, this Honorable Body authorized an agreement with Nanonation regarding the purchase of four SNAP Application Kiosks for clients and applicants to self-scan required documents and apply directly for SNAP benefits through myBenefits.gov in an amount not to exceed \$149,160 for a term commencing March 1, 2020 and ending February 28, 2021, and

WHEREAS, The Commissioner has requested an amendment to the aforementioned agreement with Nanonation to indicate a one-year extension and an ending date of February 28, 2022 rather than February 28, 2021, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 16 for 2020 regarding an agreement with Nononation for the purchase of four SNAP Application Kiosks for clients and applicants to self-scan required documents is hereby amended to indicate an ending date of February 28, 2022 rather than February 28, 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. 21**

**AUTHORIZING AGREEMENTS WITH PROVIDERS OF HOME ESTABLISHMENT FURNISHINGS**

Introduced: 2/8/21

By Social Services Committee:

WHEREAS, Local Social Services districts are required to provide for the purchase of necessary and essential furniture, furnishings, equipment and supplies required for the establishment of a home for recipients of public assistance, and

WHEREAS, The Commissioner of the Albany County Department of Social Services has recommended that the County enter into agreements with the providers mentioned below at rates set by New York State for such furniture, furnishings, equipment and supplies for the term commencing January 1, 2021 and ending December 31, 2021, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements with the following agencies at rates established by New York State Social Services Law and the New York State Office of Temporary Disability Assistance for the term commencing January 1, 2021 and ending December 31, 2021:

Homeless and Traveler's Aid  
138 Central Ave.  
Albany, NY 12206

Furniture Liquidators  
7 Colvin Ave.  
Albany, NY 12206

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. 22**

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TREASURY REGARDING RENTAL ASSISTANCE DURING COVID-19 AND AMENDING THE 2021 DEPARTMENT OF SOCIAL SERVICES BUDGET**

Introduced: 2/8/21

By Social Services and Audit & Finance Committees, Messrs. A. Joyce, Fein, Simpson, Ms. McLaughlin and Mr. Domalewicz:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to submit a grant application to the United States Department of Treasury (US Treasury) regarding rental and utility assistance in the amount of \$9,061,754, and

WHEREAS, The Commissioner has also requested authorization to enter into an agreement with the US Treasury regarding the acceptance of grant funding in the amount of \$9,061,754 for a term commencing January 1, 2021 and ending March 31, 2022, and

WHEREAS, The Commissioner has indicated that eligible households may receive up to 12 months of rental arrears assistance, plus an additional three months, if there is a determination of need to ensure housing stability should sufficient funds remain available, and

WHEREAS, The Commissioner has also indicated that a budget amendment is necessary to incorporate said funding into the 2021 Social Services Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the US Treasury to accept grant funding in the amount of \$9,061,754 regarding rental and utility assistance during COVID-19 for a term commencing January 1, 2021 and ending March 31, 2022, and, be it further

RESOLVED, By the Albany County Legislature, that the 2021 Social Services Budget is amended as follows:

Increase Revenue Account A4612 Emergency Rental Assis. Prog. by \$9,061,754

Increase Appropriation Account A6010.4 by \$9,061,754 by increasing Line Item A6010 4 4086 Emergency Rental Assis. Prog. by \$9,061,754

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. 23**

**APPROVING THE DESIGNATION OF THE ALBANY COUNTY SOIL AND WATER CONSERVATION DISTRICT TO ADMINISTER THE NATIONAL GRID 10,000 TREES AND GROWING PROGRAM FOR ALBANY COUNTY**

Introduced: 2/8/21

By Conservation, Sustainability, and Green Initiatives Committee, Messrs. Reinhardt, Efekoro, Fein, Miller, Plotsky, Simpson, Ms. Lockart and Mr. Tunny:

WHEREAS, The County Executive has been notified that National Grid has made up to \$20,000 in grant funding available to Albany County regarding its “10,000 Trees and Growing Program” for the replacement of trees damaged or lost during a severe storm on October 7, 2020, and

WHEREAS, The County Executive has indicated that the funding will be in the form of a reimbursement grant of \$150 per tree to replace trees in Albany County areas hardest hit by the storm, outside of the City of Albany which is receiving its own dedicated funding from National Grid for tree replacement, and

WHEREAS, The County Executive has requested the designation of the Soil and Water Conservation District, based on its specialized knowledge and experience, to administer both the grant funding and tree replacement programs, now, therefore be it

RESOLVED, By the Albany County Legislature hereby approves the designation of the Soil and Water Conservation District to administer the National Grid “10,000 Trees and Growing Program” and grant funding of up to \$20,000 for the replacement of trees damaged or lost in Albany County during a severe storm on October 7, 2020, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements associated with the aforementioned approved plan 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. 24**

**AUTHORIZING AGREEMENTS REGARDING THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM**

Introduced: 2/8/21

By Elder Care Committee:

WHEREAS, The Commissioner of the Albany County Department of Social Services has requested authorization to enter into agreements with qualified Expanded In-Home Services for the Elderly Program (EISEP) service providers in the amount of \$1,192,400 for the term commencing April 1, 2021 and ending March 31, 2022, and

WHEREAS, The Commissioner indicated that the EISEP service providers will provide services to eligible seniors to allow them to remain in their homes and will generally be paid using the recommended provider-specific Medicaid reimbursement rates established by the New York State Department of Health, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements with the following EISEP service providers in an amount not to exceed \$1,192,400 for the term commencing April 1, 2021 and ending March 31, 2022:

Accent Health Care	Accu Care Health Services
Adept Health Care Services	All Metro Home Care
Any-Time Home Care	Attentive Care of Albany, Inc.
Consumer Directed Choices	ENS Health Care d/b/a Interim Health Care
Family & Child Service of Schenectady	Marquis Home Care
Maxim of New York, LLC	Unlimited Care, Inc.
Visiting Nurses Home Care	

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. 25**

**AUTHORIZING AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED REGARDING ANCILLARY LAUNDRY SERVICES FOR ELIGIBLE INDIVIDUALS IN THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM**

Introduced: 2/8/21

By Elder Care Committee:

WHEREAS, The Commissioner of the Albany County Department of Social Services has requested authorization to enter into an agreement with the New York State Industries for the Disabled regarding ancillary laundry services for eligible individuals in the Expanded In-Home Services for the Elderly Program in the amount of \$100,000 for the term commencing April 1, 2021 and ending March 31, 2022, and

WHEREAS, The Commissioner indicated that New York State Industries for the Disabled will subcontract with Plaza Linens to provide laundry bags and the pick up, delivery, cleaning, and processing of laundry, 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 Industries for the Disabled, Albany, NY 12203 regarding ancillary laundry services for eligible individuals in the Expanded In-Home Services for the Elderly Program in the amount of \$100,000 for the term commencing April 1, 2021 and ending March 31, 2022, 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 State and County Officials.

**RESOLUTION NO. 26**

**AUTHORIZING AN AGREEMENT WITH BIO-REFERENCE LABORATORIES, INC. REGARDING COVID-19 TESTING**

Introduced: 2/8/21

By Elder Care Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested authorization to enter into an agreement with Bio-Reference Laboratories, Inc. regarding COVID-19 testing for Shaker Place Rehabilitation and Nursing Center in the amount of \$150,000 for the term commencing May 19, 2021 and ending May 18, 2022, with two one-year options to renew, and

WHEREAS, The Executive Director has indicated that Shaker Place Rehabilitation and Nursing Center is required to provide COVID-19 testing to residents, staff, outside service personnel, and others, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Bio-Reference Laboratories, Inc., Elmwood Park, NJ 07407 regarding COVID-19 testing for Shaker Place Rehabilitation and Nursing Center in an amount not to exceed \$150,000 for the term commencing May 19, 2021 and ending May 18, 2022, with two one-year options to renew, 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. 27

### **AUTHORIZING AN AGREEMENT WITH COMPREHENSIVE HEALTHCARE SOLUTIONS REGARDING BILLING AND DEBT COLLECTION SERVICES**

Introduced: 2/8/21

By Elder Care Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested authorization to enter into an agreement with Comprehensive Healthcare Solutions regarding billing and debt collection services for Shaker Place Rehabilitation and Nursing Center in an amount not to exceed \$208,000 per year for a total amount not to exceed \$1,040,000 over a five-year term commencing April 1, 2021 and ending March 31, 2026, and

WHEREAS, The Department of Residential Health Care Facilities, through the County Purchasing Agent, issued a request for proposals regarding billing, accounts receivable, and collection services for Shaker Place Rehabilitation and Nursing Center and five proposals were received, and

WHEREAS, The Department of Residential Health Care Facilities reviewed said proposals and recommended awarding the contract to Comprehensive Healthcare Solutions as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Comprehensive Healthcare Solutions, Lakewood NJ 08701 regarding billing and debt collection services for Shaker Place Rehabilitation and Nursing Center in an amount not to exceed \$208,000 per year for a total amount not to exceed \$1,040,000 over a five-year term commencing April 1, 2021 and ending March 31, 2026, 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. 28**

**AUTHORIZING AN AGREEMENT WITH CDPHP REGARDING A DONATION TO SHAKER PLACE REHABILITATION AND NURSING CENTER AND AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET**

Introduced: 2/8/21

By Elder Care Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested authorization to enter into an agreement with CDPHP regarding a donation to Shaker Place Rehabilitation and Nursing Center in the amount of \$35,000, and

WHEREAS, The Executive Director indicated that the donation will be used to purchase personal protective equipment and underwrite staff expenses for child care, uniforms, and transportation, and

WHEREAS, The Executive Director has also requested a budget amendment to incorporate the donated funding into the 2021 Department of Residential Health Care Facilities Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with CDPHP regarding a donation to Shaker Place Rehabilitation and Nursing Center, as outlined above, in the amount of \$35,000, and, be it further

RESOLVED, That the 2021 Department of Residential Health Care Facilities Budget is amended as follows:

Increase Revenue Account NH1898 Misc Adult NH Care by \$35,000

Increase Appropriation Account NH6020.1 by \$5,000 by increasing Line Item NH6020 1 9980 Clothing Allowance by \$5,000

Increase Appropriation Account NH6020.4 by \$30,000 by increasing Line Item NH6020 4 4252 Clinic-Medical Supplies by \$30,000

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. 29**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES REGARDING THE VICTIM AND WITNESS ASSISTANCE PROGRAM GRANT**

Introduced: 2/8/21

By Law Committee:

WHEREAS, The Director of the Albany County Crime Victim and Sexual Violence Center has been notified of an 18-month extension by the New York State Office of Victim Services regarding the Victims of Crime Act Victim and Witness Assistance Program grant, and has requested authorization to enter into an agreement extending the grant period from March 31, 2021 to September 30, 2022, 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 Office of Victim Services regarding the Victims of Crime Act Victim and Witness Assistance Program grant, and extending the grant period from March 31, 2021 to September 30, 2022, 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. 30**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING RAPE CRISIS SERVICES AND PREVENTION PROGRAMMING**

Introduced: 2/8/21  
By Law Committee:

WHEREAS, By Resolution No. 315 for 2019, this Honorable Body authorized an agreement with the New York State Division of Criminal Justice Services regarding rape crisis services and prevention programming in the amount of \$97,194 for the term commencing October 1, 2019 and ending September 30, 2020 with two one-year options to renew, and

WHEREAS, The Director of the Albany County Crime Victim and Sexual Violence Center has requested authorization to enter into an agreement with the New York State Division of Criminal Justice Services, the first of two one-year renewal options, regarding rape crisis services and prevention programming in the amount of \$94,240 for the term commencing October 1, 2020 and ending September 30, 2021, 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 Criminal Justice Services, the first of two one-year renewal options, regarding rape crisis services and prevention programming in the amount of \$94,240 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. 31**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND AN INTERDEPARTMENTAL AGREEMENT REGARDING THE STOP VIOLENCE AGAINST WOMEN ACT GRANT**

Introduced: 2/8/21  
By Law Committee:

WHEREAS, The Director of the Albany County Crime Victim and Sexual Violence Center has requested authorization to enter into a five-year agreement with the New York State Division of Criminal Justice Services regarding the STOP Violence Against Women Act grant in the amount of \$50,000 per year for a total amount of \$250,000 for the term commencing January 1, 2021 and ending December 31, 2025, and

WHEREAS, The Director has also requested authorization to enter into an interdepartmental agreement with the Albany County District Attorney's Office and the Albany County Sheriff's Office in order to continue their coordinated effort in developing and strengthening effective law enforcement, prosecution strategies, and victim services in cases involving violent crimes against women, 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 Criminal Justice Services regarding the STOP Violence Against Women Act grant in the amount of \$50,000 per year for a total amount of \$250,000 for the term commencing January 1, 2021 and ending December 31, 2025, and, be it further

RESOLVED That the County Executive is also authorized to enter into an interdepartmental agreement between the Crime Victim and Sexual Violence Center, the District Attorney's Office, and the Sheriff's Office in order to continue coordinating their efforts in cases involving violent crimes against women, 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. 32**

**AUTHORIZING AN AGREEMENT WITH ELLIS HOSPITAL REGARDING  
MORGUE AND LABORATORY SERVICES**

Introduced: 2/8/21

By Health Committee:

WHEREAS, Ellis Hospital is a comprehensive health science center with extensive experience providing state of the art morgue and laboratory services to Albany County, and

WHEREAS, The Albany County Coroner has requested to enter into a two-year agreement with Ellis Hospital for morgue and laboratory services in an amount not to exceed \$445,000 for a term commencing January 1, 2021 and ending December 31, 2022, now, therefore be it

RESOLVED, By the Albany County Legislature that the Albany County Executive is authorized to enter into a two-year agreement with Ellis Hospital for morgue and laboratory services in an amount not to exceed \$445,000 for a term commencing January 1, 2021 and ending December 31, 2022, 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. 33**

**AUTHORIZING THE RENEWAL OF A CONTRACT FOR RE-ENTRY SERVICES WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

Introduced: 2/8/21

By: Health Committee:

WHEREAS, The Director of the Albany County Department of Mental Health has requested authorization to renew an agreement with New York State Division of Criminal Justice Services to accept grant funding regarding the County Re-Entry Task Force in the amount of \$220,705 for the term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, The County Re-Entry Task Force provides rehabilitation, education, and case management services for inmates recently released from the state corrections system in order to reduce recidivism and promote quality of life, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to renew agreement with New York State Division of Criminal Justice Services to accept grant funding regarding the County Re-Entry Task Force in the amount of \$220,705 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. 34**

**AUTHORIZING AN AGREEMENT WITH THE HOMELESS AND TRAVELERS AID SOCIETY REGARDING CASE MANAGEMENT SERVICES FOR THE COUNTY RE-ENTRY PROGRAM**

Introduced: 2/8/21

By Health Committee:

WHEREAS, The Director of the Albany County Department of Mental Health has requested authorization to enter into an agreement with the Homeless and Travelers Aid Society (HATAS) regarding a County Re-Entry Task Force to provide case management services for individuals being released from prison and participating in the County Re-Entry Program, and

WHEREAS, The term of the agreement shall commence on October 1, 2020 and end on September 30, 2021, in an amount not to exceed \$130,000 and is fully funded by a grant received from the New York State Division of Criminal Justice Services, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with HATAS for case management services for individuals being released from prison and participating in the County Re-Entry Program for the term commencing October 1, 2020 and ending September 30, 2021 in an amount not to exceed \$130,000, 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. 35**

**AUTHORIZING AN AGREEMENT WITH INFORMATION MANAGEMENT ASSOCIATES REGARDING PATIENT AND BILLING SOFTWARE AT THE DEPARTMENT OF MENTAL HEALTH**

Introduced: 2/8/21

By Health Committee:

WHEREAS, The Director of the Albany County Department of Mental Health has requested authorization to enter into an agreement with Information Management Associates regarding patient and billing software in an amount not to exceed \$103,260 for the term commencing January 1, 2021 and ending December 31, 2021, and

WHEREAS, The contract is for the ongoing subscription and license agreement for the operation of patient and billing software that includes web-based access for clinicians, patient portal access, implementation of billing modules, e-signature capabilities, NYS Clinical Records Initiative compliance, use of e-prescribing and expansion of the Electronic Health Record, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Information Management Associates, New York, NY 10004 regarding patient and billing software in an amount not to exceed \$103,260 for the term commencing January 1, 2021 and ending December 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. 36**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE EXPLOSIVE DETECTION CANINE TEAM PROGRAM**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2019 Explosive Detection Canine Team grant in the amount of \$15,000 for the term commencing September 1, 2020 and ending August 31, 2022, and

WHEREAS, The Sheriff has indicated the grant will be allocated for the training of Explosive Detection Canines and handlers, the purchase of related equipment and general program sustainment and enhancement, 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 Division of Homeland Security and Emergency Services regarding the 2019 Explosive Detection Canine Team grant in the amount of \$15,000 for the term commencing September 1, 2020 and ending August 31, 2022, 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. 37**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE GRANT PROGRAM**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2019 Technical Rescue and Urban Search and Rescue Grant Program in the amount of \$75,000 for the term commencing September 1, 2020 and ending August 31, 2022, and

WHEREAS, The Sheriff has indicated that this funding will be used for the purchase of equipment utilized by multi-discipline responders when responding to a structural collapse, rope rescue, or trench rescue operation, 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 Division of Homeland Security and Emergency Services regarding the 2019 Technical Rescue and Urban Search and Rescue Grant Program in the amount of \$75,000 for the term commencing September 1, 2020 and ending August 31, 2022, 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. 38**

**AUTHORIZING AN AGREEMENT WITH CENTRAL SQUARE TECHNOLOGIES REGARDING THE REPLACEMENT OF E-911 COMPUTERS WITHIN ALBANY COUNTY**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with Central Square Technologies for the replacement of the existing E-911 computers within Albany County in an amount not to exceed \$127,441 for the term commencing January 1, 2021 and ending December 31, 2025, and

WHEREAS, Albany County has an existing contract with Central Square Technologies for the core public safety systems including E-911, where each E-911 operator has a computer that is on the Capital District Public Safety network, and

WHEREAS, The current computers are out of warranty and nearing the end of the current lifecycle and will need to be replaced in order to allow the current platform to accept new releases of Central Square's software, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Central Square Technologies, Lake Marie, FL 32746 for the replacement of the existing E-911 computers within Albany County in an amount not to exceed \$127,441 for the term commencing January 1, 2021 and ending December 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. 39**

**AUTHORIZING AN AGREEMENT WITH TECHNICAL BUILDING SERVICES FOR THE PUBLIC SAFETY BUILDING IN CLARKSVILLE**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with Technical Building Services regarding the HVAC installation, programming, and employee training at the Public Safety Building in Clarksville in an amount not to exceed \$215,060, and

WHEREAS, The Sheriff has indicated that Technical Building Services has been deemed available pursuant to New York State contract and recommended for the County, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Technical Building Services, Ballston Spa, NY 12020 regarding HVAC installation, programming, and employee training at the Public Safety Building in Clarksville in an amount not to exceed \$215,060, 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. 40**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 CYBER SECURITY GRANT FOR THE ALBANY COUNTY SHERIFF'S OFFICE**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant in an amount not to exceed \$50,000, and

WHEREAS, The Sheriff indicated that, if granted, funding will be utilized for the purchase of equipment in the operations of detecting, identifying and prosecuting cybercrimes, 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 Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant in the amount not to exceed \$50,000 for the purchase of equipment to help in detecting and identifying cybercrimes, 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. 41**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE FY2019 CYBER SECURITY GRANT FOR THE ALBANY COUNTY DIVISION OF INFORMATION SERVICES**

Introduced: 2/8/21

By Public Safety Committee:

WHEREAS, The County Executive has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant for the Albany County Division of Information Services in an amount not to exceed \$43,673, and

WHEREAS, The County Executive indicated that, if granted, funding will be allocated to the purchase of enhanced cyber security software and support for Albany County which is necessary due to increased remote working, 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 Division of Homeland Security and Emergency Services regarding the FY2019 Cyber Security Grant in the amount not to exceed \$43,673 for the purchase of enhanced cyber security software and support, 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. 42**

**CONFIRMING THE APPOINTMENT OF A MEMBER TO THE ALBANY COUNTY AIRPORT AUTHORITY**

Introduced: 2/8/21

By Personnel Committee:

WHEREAS, The State of New York created the Albany County Airport Authority in 1993 and provided for the appointment of seven members, four of said members being appointed by the Majority Leader of the Albany County Legislature and three by the County Executive, and

WHEREAS, The County Executive has recommended the reappointment of Sari M. O'Connor of Albany, NY to serve as a member of the Authority for a term commencing immediately and expiring December 31, 2024, now, therefore be it

RESOLVED, By the Albany County Legislature that the appointment of Sari M. O'Connor of Albany, NY to serve as a member to the Albany County Airport Authority is hereby confirmed for a term commencing immediately and expiring December 31, 2024, 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. 43

### **AUTHORIZING THE OFFICES OF THE PUBLIC DEFENDER AND ALTERNATE PUBLIC DEFENDER TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF ASSISTANT ALBANY COUNTY PUBLIC DEFENDER AND ASSISTANT ALTERNATE ALBANY COUNTY PUBLIC DEFENDER**

Introduced: 2/8/21

By Personnel Committee:

WHEREAS, The Offices of the Public Defender and Alternate Public Defender have diligently sought out qualified applicants for the positions of Assistant Albany County Public Defender and Assistant Albany County Alternate Public Defender, respectively, and

WHEREAS, The Public Defender and Alternate Public Defender have indicated that based upon new requirements of the New York State Office of Indigent Legal Services, many Public Defender's and Alternate Public Defender's Offices throughout the state will be seeking to greatly increase their attorney staff over the next five years, and

WHEREAS, The Public Defender and Alternate Public Defender have further indicated they have not been able to locate qualified applicants who are residents of Albany County and willing to accept these positions, 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 positions, 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 Assistant Albany County Public Defender and Assistant Alternate Albany County Public Defender positions 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 on the condition that such employee(s) move into the County within one year of their start date, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill the positions of Assistant Albany County Public Defender and Assistant Alternate Albany County Public Defender are 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 on the condition that said employee(s) move into Albany County within one year of their start date, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for these positions shall expire February 15, 2022, 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. 44**

**AMENDING THE 2021 SHERIFF'S OFFICE BUDGET REGARDING THE  
NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND  
EMERGENCY SERVICES STATEWIDE INTEROPERABILITY  
COMMUNICATIONS GRANT**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution Nos. 159 for 2018 and 558 for 2018, this Honorable Body authorized agreements with the New York State Division of Homeland Security and Emergency Services (DHSES) regarding the 2017/2018 and the 2018/2019 Statewide Interoperability Communications Grant – Formula Based Funding, and

WHEREAS, The Albany County Sheriff has indicated the grant programs will continue longer than the two-year limit to encumber such funds, and,

WHEREAS, The Sheriff's Office has requested a budget amendment to incorporate said funding into the 2021 Sheriff's Office budget for these grant programs, now, therefore, be it

RESOLVED, By the Albany County Legislature that the 2021 Sheriff's Office Budget is hereby amended as indicated on the spreadsheet annexed hereto, 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.

**2021 BUDGET AMENDMENT**

2021 BUDGET AMENDMENT										
APPROPRIATIONS										
RESOLUTION NO. BTCH		ACCOUNT NO.				RESOLUTION DESCRIPTION	INCREASE	DECREASE		
ENC # 21877018		A9	3110	2	2100	SIG17	COMMUNICATION EQUIPMENT	591,223.00		
ENC # 21877019		A9	3110	2	2100	SIG18	COMMUNICATION EQUIPMENT	501,369.00		
TOTAL APPROPRIATIONS							1,092,592.00	0.00		
REVENUES										
RESOLUTION NO. BTCH		ACCOUNT NO.				RESOLUTION DESCRIPTION	DECREASE	INCREASE		
ENC # 21877018		A3	3110		03306	SIG17	HOMELAND SECURITY		591,223.00	
ENC # 21877019		A3	3110		03306	SIG18	HOMELAND SECURITY		501,369.00	
TOTAL REVENUES							0.00	1,092,592.00		
GRAND TOTALS							1,092,592.00	1,092,592.00		

**RESOLUTION NO. 45**

**AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE TOWN OF COLONIE**

Introduced: 2/8/21  
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 Town of Colonie 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>
Ronald Monfils Assessor	68 Exchange Street Tax Map No.53.16-1-23.1 2021 Collection	\$30,911.32

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. 46**

**AMOUNT LEVIED FOR UNPAID WATER AND SEWER CHARGES IN THE CITY OF COHOES**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, The City Treasurer of the City of Cohoes has filed with the County Legislature of Albany County a statement of unpaid water and sewer charges in the City of Cohoes, now, therefore be it

RESOLVED, By the Albany County Legislature that there be levied and assessed against each specific lot or parcel of land as set forth in said statement in the City of Cohoes, such sums against the property liable and amounting in the aggregate to \$451,098.99 said water and sewer charges to be placed on the 2021 tax roll of said city, 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. 47**

**AMOUNTS LEVIED FOR OTHER CHARGES FOR THE CITY OF COHOES**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, The City Treasurer of the City of Cohoes has filed a statement with the County Legislature for other charges to be placed on the City of Cohoes 2021 tax roll, now, therefore be it

RESOLVED, By the Albany County Legislature that there be levied the following other charges upon the City of Cohoes, as follows:

<u>City of Cohoes</u>	
Other charges	\$40,355.00

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. 48**

**AUTHORIZING THE LEVY UPON THE CITY OF COHOES PROPERTY OF  
THE AMOUNT NEEDED FOR VARIOUS PURPOSES**

Introduced: 2/8/21

By Audit and Finance Committee:

RESOLVED, By the Albany County Legislature that the sum of \$7,614,779.00 be levied upon the taxable property in the City of Cohoes for the following purposes: To pay the expenses of conducting the business of the City of Cohoes in each department and office thereof; and for the purposes contemplated by the Charter and Laws pertaining to the City of Cohoes for the fiscal year beginning January 1, 2021 to December 31, 2021 and to pay the principal and interest of indebtedness falling due during the year, and, be it further

RESOLVED, That such levy shall be applied as set forth in the submitted communication from the Cohoes City Treasurer, 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. 49**

**AUTHORIZING THE CONVEYANCE OF 76 THIRD STREET (TAX MAP NO. 65.74-3-7) AND 89 THIRD STREET (TAX MAP NO. 65.74-2-7) IN THE CITY OF ALBANY**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired through in rem foreclosure title to parcels of real property located at 76 Third Street (Tax Map No. 65.74-3-7) and 89 Third Street (Tax Map No. 65.74-2-7) in the City of Albany, and

WHEREAS, Metropolitan New Testament Mission Baptist Church, a not-for-profit corporation, has expressed an interest in acquiring these parcels, and have indicated that such parcels shall be rehabilitated and used for their community projects, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to not-for-profit/non-profit entities for use for a public purpose, now, therefore be it

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 76 Third Street (Tax Map No. 65.74-3-7) and 89 Third Street (Tax Map No. 65.74-2-7) in the City of Albany to Metropolitan New Testament Mission Baptist Church, 105 Second Street, Albany, NY 12210 for \$1 per parcel, and, be it further

RESOLVED, That Metropolitan New Testament Mission Baptist Church shall be responsible for all closing costs, all prior water, sewer and municipal charges not in the collection process of the Albany County Division of Finance as of the date of the property closing, as well as any and all water, sewer, municipal charges, and real estate taxes billed on and after September 1, 2021, 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. 50**

**AUTHORIZING THE CANCELLATION AND CHARGE BACK OF AN UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIEN ON 46 GOOGAS ROAD IN THE TOWN OF BETHLEHEM**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, The Director of the County Real Property Tax Services Agency has advised the Commissioner of the County Department of Management and Budget as Enforcing Officer of the Albany County Tax District (“Tax District Enforcing Officer”) that the three year time limit for use of the ordinary “correction of errors” process provided by Real Property Tax Law §554 to cancel and charge back the amount credited or guaranteed by the Tax District in connection with the following unenforceable delinquent tax liens which were returned to the Tax District for enforcement:

<u>Town of Bethlehem</u>				
<u>Parcel Location</u>	<u>Tax Map No.</u>	<u>Tax Lien Year(s)</u>	<u>Charge Back Amount</u>	<u>Reason</u>
46 Googas Road	63.16-3-38	2016 Property	\$9.52	The Town of Bethlehem took title to the parcel on May 5, 2015. The Town failed to acknowledge the sale; therefore, the Town owned exemption was not applied to the parcel dataset. The Town is a wholly exempt entity. Due to a clerical error, a tax was imposed on the parcel for 2016-2020.
		2017 Property	\$9.54	
		2018 Property	\$8.72	
		2019 Property	\$9.43	
		2020 Property	\$9.04	

and

WHEREAS, Pursuant to Real Property Tax Law §1138 the County Legislature in its capacity as the governing body of the Tax District is authorized to without time limit cancel and charge back all amounts credited or guaranteed by the Tax District

to any municipal corporation in connection with delinquent real property tax liens returned to the Tax District for enforcement as to which there is no practical method to enforce the collection of said delinquent tax liens and that a supplementary proceeding to enforce collection of the taxes involved would not be effective, and

WHEREAS, The Tax District Enforcing Officer has as required by RPTL §1138 (subds. 1 (a) and 2) duly issued and filed with the Albany County Clerk and the Clerk of the Albany County Legislature as the governing body of the Tax District a Certificate of Withdrawal of the above said parcel from the “In Rem” delinquent real property tax lien foreclosure proceeding brought by the Tax District to enforce the said delinquent real property tax lien against it, and

WHEREAS, The County Legislature has based upon the information in this regard provided to it by the Tax District Enforcing Officer determined pursuant to RPTL §1138 (subd. 6 (a)) that under the circumstances presented there no practical method to enforce the collection of the above said delinquent tax lien and that a supplementary proceeding to enforce collection of the tax involved would not be effective, now, therefore, be it

RESOLVED, By the Albany County Legislature, that pursuant to RPTL §1138 (subd.6(a)) the above said delinquent real property tax lien is hereby cancelled and the Tax District Enforcing Officer is hereby directed to issue and within 10 days thereafter file with the Albany County Clerk a Certificate of Cancellation of the above said delinquent real property tax lien, and, be it further

RESOLVED, That the Tax District Enforcing Officer is pursuant to RPTL §1138 (subd.6(c)) hereby authorized and directed to following the filing of said Certificate of Cancellation charge back all amounts credited or guaranteed by the Tax District to any municipal corporation in connection with the above said cancelled delinquent real property tax lien, 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. 51**

**AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, judgement for five parcels of real property in the City of Albany, and

WHEREAS, The Albany County Land Bank Corporation (the "Land Bank") has expressed an interest in acquiring these five parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interests of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, the Albany County Department of Management and Budget has forwarded a spreadsheet detailing such parcels for conveyance to the Land Bank as annexed hereto, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the parcels of real property located in the City of Albany as indicated on the spreadsheet annexed hereto, to the Land Bank, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances 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.

Municipality	Number	Street Name	Building/Lot	Tax Map #	Assessed Value	Class Code	Lot Size/GLFA
City of Albany	189	SEMINOLE AVENUE	Lot	64.55-2-14	\$ 100.00	311 - Residential Vacant Land	80 X 120
City of Albany	199	SEMINOLE AVENUE	Lot	64.55-2-13	\$ 100.00	311 - Residential Vacant Land	80 X 120
City of Albany	229	SEMINOLE AVENUE	Lot	64.62-1-58	\$ 100.00	311 - Residential Vacant Land	50 X 118
City of Albany	237	SEMINOLE AVENUE	Lot	64.62-1-55	\$ 100.00	311 - Residential Vacant Land	45 X 118
City of Albany	239	SEMINOLE AVENUE	Lot	64.62-1-54	\$ 100.00	311 - Residential Vacant Land	45 X 118



**RESOLUTION NO. 52**

**AMENDING RESOLUTION NO. 494 FOR 2020 FOR A CUSTOMER PROJECT COMMITMENT AGREEMENT WITH THE NEW YORK POWER AUTHORITY REGARDING THE STREETLIGHT CONVERSION PROJECT**

Introduced: 2/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 494 for 2020, this Honorable Body authorized an initial Customer Project Commitment with the New York Power Authority for the purchase and conversion of approximately 105 County-owned streetlights throughout Albany County to new energy efficient LED streetlights in the amount of \$272,774, and

WHEREAS, The County Executive has requested an amendment to the agreement to indicate a total amount of \$282,774 rather than \$272,774, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 494 for 2020 is amended to indicate a total amount of \$282,774 rather than \$272,774, 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. 53

### DESIGNATING FEBRUARY 2021 AS “AFRICAN-AMERICAN HISTORY MONTH” IN ALBANY COUNTY

Introduced: 2/8/21

By Mr. Clay, Ms. Chapman, Mr. Fein, Ms. McLaughlin, Mr. Simpson, Ms. Willingham, Messrs. A. Joyce and Feeney:

WHEREAS, This month Albany County will join citizens from around the nation to commemorate African-American History Month and pay tribute to the determination and triumphs of African-Americans throughout our Country’s history and the legacy of their experience, and

WHEREAS, Albany County, along with the Nation, has selected “The Black Family: Representation, Identity, and Diversity” as its theme for the 2021 observance of African-American History Month, and

WHEREAS, The black family has been a topic of study in many disciplines—history, literature, the visual arts and film studies, sociology, anthropology, and social policy. Its representation, identity, and diversity have been revered, stereotyped, and vilified from the days of slavery to our own time, and

WHEREAS, The black family knows no single location, since family reunions and genetic-ancestry searches testify to the spread of family members across states, nations, and continents. Not only are individual black families diasporic, but Africa and the diaspora itself have been long portrayed as the black family at large, and

WHEREAS, The role of the black family has been described by some as a microcosm of the entire race, its complexity as the “foundation” of African-American life and history can be seen in numerous debates over how to represent its meaning and typicality from a historical perspective—as slave or free, as patriarchal or matriarchal/matrifocal, as single-headed or dual-headed household, as extended or nuclear, as fictive kin or blood lineage, as legal or common law, and as black or interracial, etc., and,

WHEREAS, The variation appears, as well, in discussions on the nature and impact of parenting, childhood, marriage, gender norms, sexuality, and incarceration. The family offers a rich tapestry of images for exploring the African-American past and present, now, therefore, be it

RESOLVED, By the Albany County Legislature that February 2021 is hereby designated as African-American History Month in Albany County, and all citizens of Albany County are encouraged to reflect upon the history of black families, 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. 54

### AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO RECOGNIZE JUNETEENTH AS A COUNTY HOLIDAY

Introduced: 12/8/21

By Mr. Clay, Ms. Chapman, Mr. Fein, Ms. McLaughlin, Mr. Simpson, Ms. Willingham, Messrs. A. Joyce and Feeney:

WHEREAS, The news of liberation of slaves came to Texas more than two years after President Abraham Lincoln's Emancipation Proclamation went into effect on January 1, 1863, and

WHEREAS, African-Americans across the state were made aware of their right to freedom on June 19, 1865, when Major General Gordon Granger arrived in Galveston with federal troops to read General Order No. 3 announcing the end of the Civil War and that all enslaved people were now free, as well as to maintain a presence in Texas for the purpose of enforcement of emancipation among slave-owners throughout the state, and

WHEREAS, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures, and

WHEREAS, The faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race, and

WHEREAS, Slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865, and

WHEREAS, Over the course of its history, the United States has grown into a symbol of democracy and freedom around the world, and

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Contained within the employee rules and regulations are the holidays observed by county employees, and

WHEREAS, NYS Governor Andrew M. Cuomo issued an Executive Order recognizing June 19, 2020 as Juneteenth, and declared that June 19, 2020 to be a holiday for state employees, and

WHEREAS, the County of Albany, being the Capital of the Empire State, has a proud history of being at the forefront in supporting, honoring and celebrating civil rights and freedoms, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County of Albany

(1) Designates June 19, 2021, as “Juneteenth”;

(2) Recognizes the historical significance of Juneteenth to the United States;

(3) Supports the continued nationwide celebration of Juneteenth to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States, and

(4) Recognizes that the observance of the end of slavery is part of the history and heritage of the United States, and be further

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

“ARTICLE VI: PAID LEAVES OF ABSENCE

H. Paid Holidays. The following days are observed by the County as paid holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, and Christmas Day. If such a holiday falls on a Saturday, it will be observed on the preceding Friday and if such a holiday falls on a Sunday, it will be observed on the following Monday.”

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. 55**

**REAPPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES**

Introduced: 2/8/21

By Mr. Feeney:

WHEREAS, Numerous members on the Community Services Board and its subcommittees have served with distinction and have expressed an interest in continuing in such positions, and

WHEREAS, Kimberly M. Aichner and Barry Walston, citizens of Albany County, have expressed an interest in serving on the Community Services Board, now, therefore be it

RESOLVED, By the Albany County Legislature that, pursuant to Section 41.11 of the New York State Mental Hygiene Law, the following individuals are appointed to the Community Services Board and/or the subcommittees of the Board for terms commencing immediately and expiring as set forth:

<u>Community Service Board</u>	<u>Term Expiration</u>
Brian Barr	12/31/24
William J. Serafin	12/31/24
John Greklek-Torres, MSW	12/31/24
Alan Kott	12/31/24
Henri Williams	12/31/24
Lt. Willie Flack III	12/31/24
Kimberly M. Aichner	12/31/24
 <u>Mental Health Subcommittee</u>	
William J. Serafin, Chair	12/31/24
James L. Stone	12/31/24
Allen C. Israel, Ph.D.	12/31/24
Lt. Willie Flack III	12/31/24
 <u>Alcoholism, Substance Abuse and Gambling Subcommittee</u>	
Barry Walston	12/31/24

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. 56**

**AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION**

Introduced: 2/8/21

By Ms. Lekakis, Messrs. Ethier, Kuhn, and A. Joyce:

**WHEREAS**, No greater threat to the health and safety of the employees of the County of Albany has been experienced than that which was brought by the COVID-19 global pandemic, and

**WHEREAS**, The goal of vaccination is paramount to the continued welfare of the employees of the County and the community as a whole, and

**WHEREAS**, It is inconceivable that employees of the County may have to decide between their income and their health and safety, and

**WHEREAS**, It is therefore necessary to ensure such decisions need not be contemplated by providing employees of the County of Albany with the necessary paid time-off so that they may receive the COVID-19 vaccine, and

**WHEREAS**, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

**WHEREAS**, Contained therein is Article VI: Paid Leaves of Absence for employees of the County, now, therefore, be it

**RESOLVED**, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

**ARTICLE VI: PAID LEAVES OF ABSENCE**

**O. Special Paid Leaves (Excused Time).**

**9. Special Leave for COVID-19 Vaccination.** An employee shall be granted up to four (4) hours paid leave per year for the purpose of being vaccinated for COVID-19. The employee will be required to report to work for the balance of the work day when such procedure requires less time than the employees scheduled work day.

- a. Such leave shall be charged in such increments as may be approved by the employee's supervisor but in no case shall such increments be less than one-quarter ( $\frac{1}{4}$ ) hour.

- b. All requests to use special leave for COVID-19 vaccination must be submitted to an employee's supervisor as soon as the need to be absent from work for the purposes of being vaccinated for COVID-19 is known to the employee. Failure to provide proper notice may result in the denial of leave.
- c. Satisfactory proof that such vaccination was scheduled and/or administered may be requested by the supervisor of the employee or the Department of Human Resources.
- d. Submission of forged, fraudulent or altered documentation for satisfying subsection "c" herein shall be handled pursuant to subsection seven (7) of section I of this Article.

and be it further,

**RESOLVED**, that to the extent permissible under law, this grant of paid leave shall apply to both union and non-union employees, but nothing herein shall be deemed to impede, infringe, diminish or impair the rights of an employee under any law, regulation or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining agreement, and be it further,

**RESOLVED**, that this Resolution shall take effect immediately and apply retroactively to employees who can provide satisfactory proof that they used accruals for the purposes of receiving the COVID-19 vaccine on or after December 1, 2020, with such accruals previously used being restored to the employee in accordance with the terms of this Resolution, and be it further,

**RESOLVED**, that this Resolution shall expire and be deemed repealed on December 31, 2022, 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. 57**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "A" FOR 2021**

Introduced: 2/8/21

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "A" for 2021, "A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY" be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, 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.

**RESOLUTION NO. 58**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-A (SUBD. 2 (B)) TO BE VACANT AND ABANDONED**

Introduced: 2/8/21

By Mr. Peter and Ms. McLaughlin:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "B" for 2021, "A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-a (SUBD. 2 (B)) TO BE VACANT AND ABANDONED" be held by the County Legislature remotely, with information available on the County website, at 7:15 p.m. on Tuesday, March 23, 2021, 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.

**RESOLUTION NO. 59**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2021 A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM**

Introduced: 2/8/21

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "C" for 2021, "A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM" to be held remotely by the Albany County Legislature at 7:15 p.m. on Tuesday, March 23, 2021, 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.

## LOCAL LAW NO. "J" FOR 2020

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, LIMITING THIRD-PARTY FOOD DELIVERY SERVICES DURING A DECLARED EMERGENCY

Introduced: 12/21/20

By Messrs. Fein, Peter, Reidy, Mss. McLaughlin, Willingham, Plotsky, Messrs. Efekoro, O'Brien, Reinhardt, Miller, Domalewicz, Mss. Cunningham, McLean Lane, Messrs. Simpson, Ricard, A. Joyce, Ms. Lekakis, Mr. R. Joyce, Ms. Chapman, Messrs. Cleary and Feeney:

**BE IT ENACTED** by the County Legislature of the County of Albany as follows:

#### **SECTION 1.**

##### **Definitions:**

- (a) Declared emergency. The term "declared emergency" means the period of time during which a State disaster emergency has been declared by the Governor of the State of New York or a state of emergency has been declared by the Albany County Executive, such declaration is in effect in the County, and there are restrictions placed on on-premises indoor dining at food service establishments in the County.
- (b) Delivery fee. The term "delivery fee" means a fee charged by a third-party food delivery service for providing a food service establishment with a service that delivers food from such establishment to customers. The term does not include any other fee that may be charged by a third-party food delivery service to a food service establishment, such as fees for listing or advertising the food service establishment on the third-party food delivery service platform or fees related to processing the online order.
- (c) Food service establishment. The term "food service establishment" means any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short-order cafe; delicatessen; luncheonette; grill; tearoom; sandwich shop; soda fountain; bar; tavern; cocktail lounge; night club; roadside stand; take-out prepared food place; retail bakery; industrial feeding establishment; private, public or nonprofit organization or institution, including: schools; nursing homes; day care centers and hospitals; religious and fraternal organizations routinely serving food; catering kitchens; commissary or similar places in which food is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for the public, with or without charge.

- (d) Online order. The term "online order" means any order placed by a customer through or with the assistance of a platform provided by a third-party food delivery service, including a telephone order.
- (e) Purchase price. The term "purchase price" means the total price of the items contained in an online order that are listed on the menu of the food service establishment where such order is placed. Such term does not include taxes, gratuities and any other fees that may make up the total cost to the customer of an online order.
- (f) Third-party food delivery service. The term "third-party food delivery service" means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from food service establishments located in the County that are owned and operated by different persons.

## **SECTION 2.**

### **Fee limits during declared emergencies.**

- (a) It shall be unlawful for a third-party food delivery service to charge a food service establishment a delivery fee that totals more than 15% of the purchase price of each online order.
- (b) It shall be unlawful for a third-party food delivery service to charge a food service establishment any fee or fees other than a delivery fee for the use of their service greater than 5% of the purchase price of each online order. Any fees or other charges from a third-party food delivery service to a food service establishment beyond such maximum 5% fee per order, and a delivery fee collected pursuant to subdivision (a) of this section, are unlawful, provided that such cap shall not apply to a credit card fee that is charged to the third-party food delivery service and is charged in the same amount by the third-party food delivery service to such food service establishment.
- (c) It shall be unlawful for a person to cause a third-party food delivery platform to reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with this section.
- (d) The requirements of this section apply only during a declared emergency and for a period of 90 days after the end of a declared emergency.

## **SECTION 3.**

## **Enforcement.**

If a third-party food delivery service charges a food service establishment fees in violation of this law, the food service establishment shall provide written notice to the third-party food delivery service requesting a refund within seven days. If the third-party food delivery service does not provide the refund requested within seven days of receipt of the written notice or the third-party food delivery service continues to charge fees in violation of this law after the initial written notice and seven-day cure period, a food service establishment may enforce this law by means of a civil action seeking damages and injunctive relief. The prevailing party in any such action shall be entitled to an award of reasonable attorney fees.

## **SECTION 4.**

### **State Environmental Quality Review Act Compliance**

This County Legislature determines that the adoption of this Local Law constitutes a “Type II action” as said term is defined in the State Environmental Quality Review Act (“SEQRA”), and that no further action with respect to same is required under SEQRA.

## **SECTION 5.**

### **Severability.**

If any section, subsection, sentence, clause, phrase or other portion of this law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

## **SECTION 6.**

### **Effective Date.**

This local law shall take effect upon filing with the Secretary of State.

*Referred to Law Committee – 12/21/20*

**LOCAL LAW NO. "A" FOR 2021**

**A LOCAL LAW RELATING TO THE PROCEDURES FOR THE ESTABLISHMENT, OPERATION, MODIFICATION, AND DISESTABLISHMENT OF TOURISM IMPROVEMENT DISTRICTS IN ALBANY COUNTY**

Introduced: 2/8/21  
By Mr. Efekoro:

WHEREAS, it is in the public interest to promote the economic improvement of Businesses within the County in order to create jobs, attract new Businesses, increase local revenue and promote tourism; and

WHEREAS, it is of particular local benefit to allow Businesses to fund business related services through the levy of Assessments upon the Businesses that receive benefits from those services; and

WHEREAS, Assessments levied for the purpose of conferring benefits upon the tourism Businesses in a Tourism Improvement District shall be related to the costs of providing the services within the Tourism Improvement District and shall not be taxes for the general benefit of the County; and

WHEREAS, it is the desire of the Albany County Legislature to create a mechanism to allow certain Businesses to initiate the formation of Tourism Improvement Districts for the purpose of providing enhanced services for the benefit of those Businesses within the Tourism Improvement District; and

WHEREAS, the Albany County Legislature determines that the establishment, operation, modification, and disestablishment of Tourism Improvement Districts within the County of Albany is a matter of local concern.

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF ALBANY COUNTY AS FOLLOWS:**

Section 1. Purpose.

The purpose of this law is to establish the procedure for the establishment, operation, modification, and disestablishment of Tourism Improvement Districts within the County, and to ensure that Tourism Improvement District assessments conform to all constitutional requirements and are determined and levied in accordance with the procedure set forth in this law.

Section 2. Severability.

This law is intended to be construed liberally and, if any clause, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### Section 3. Definitions.

“Assessment” - means a levy for the purpose of providing Activities and Improvements that will provide benefits to Businesses located within a Tourism Improvement District that are subject to the Tourism Improvement District Assessment. Assessments may be based on a percent of gross business revenue, a fixed dollar amount per transaction, or any other reasonable method approved by the County Legislature.

“Business” - means the type or category of business that is described in the Tourism Improvement District plan and the resolution creating a Tourism Improvement District.

“Business Owner” - means any person recognized by the County as the owner of the Business. The County has no obligation to obtain other information as to the ownership of businesses, and its determination of ownership shall be final and conclusive for the purposes of this law. Wherever this law requires the signature of the Business Owner, the signature of the authorized representative of the Business Owner shall be sufficient.

“Clerk” - means the County Clerk.

“County” - means the County of Albany.

“County Legislature” - means the governing body of the County.

“Local Improvement” - means, but is not limited to, all of the following that benefit Businesses in the Tourism Improvement District:

- (a) Promotion of Business activity, including but not limited to tourism, of Businesses subject to the Assessment within the Tourism Improvement District.



- (b) Other services provided for the purpose of conferring benefits upon Businesses located in the Tourism Improvement District that are subject to the Tourism Improvement District Assessment including, but not limited to, transportation services.
- (c) The acquisition, construction, installation, or maintenance of any tangible property.

“Owners’ Association” - means a private nonprofit entity that is under contract with the County to administer the Tourism Improvement District and implement Activities and Improvements specified in the Tourism Improvement District Plan. An Owners’ Association shall have full discretion to select the specific Activities and Improvements to be funded with Tourism Improvement District Assessment revenue, within the authorized parameters of the Tourism Improvement District Plan. An Owners’ Association may be an existing nonprofit entity or a newly formed nonprofit entity. An Owners’ Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose.

“Tourism Improvement District” - means a Tourism Improvement District established pursuant to this law.

“Tourism Improvement District Plan” - means a proposal as defined in Section 5.

#### Section 4. Establishment of Tourism Improvement District.

A Tourism Improvement District may be established as provided in this law.

#### Section 5. Contents of Tourism Improvement District Plan.

The Tourism Improvement District Plan shall include, but is not limited to, all of the following:

- (a) A map that identifies the Tourism Improvement District boundaries in sufficient detail to allow a Business Owner to reasonably determine whether a Business is located within the Tourism Improvement District boundaries. The boundaries of a Tourism Improvement District may overlap with other Tourism Improvement Districts established pursuant to this law.
- (b) The name of the proposed Tourism Improvement District.
- (c) The Activities and Improvements proposed for each year of operation of the Tourism Improvement District and the estimated cost thereof. If the Activities and Improvements proposed for each year of operation are the

same, a description of the first year's proposed Activities and Improvements and a statement that the same Activities and Improvements are proposed for subsequent years shall satisfy the requirements of this subsection.

- (d) The estimated annual amount proposed to be expended for Activities and Improvements in each year of operation of the Tourism Improvement District. This amount may be estimated based upon the Assessment rate. If the estimated annual amount proposed to be expended in each year of operation of the Tourism Improvement District is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subsection.
- (e) The proposed source or sources of financing, including the proposed method and basis of levying the Assessment in sufficient detail to allow each Business Owner to calculate the amount of the Assessment to be levied against his or her Business. The Tourism Improvement District Plan may set forth specific increases in assessments for each year of operation of the Tourism Improvement District.
- (f) The time and manner of collecting the Assessments and any interest and/or penalties for non-payment.
- (g) The specific number of years in which Assessments will be levied. In a new Tourism Improvement District, the maximum number of years shall be ten (10). In a renewed Tourism Improvement District, the maximum number of years shall be ten (10).
- (h) Any proposed rules and regulations to be applicable to the Tourism Improvement District.
- (i) A definition describing the type or category of Businesses to be included in the Tourism Improvement District and subject to the Tourism Improvement District Assessment.
- (j) Any other item or matter required to be incorporated therein by the County Legislature.

#### Section 6. Initiation of Proceedings; Petition of Business Owners in Proposed Tourism Improvement District

- (a) Petitions, with a signature of assessed Business Owners or their duly authorized representatives, shall be returned to the County Legislature.

- (b) The County Legislature may initiate proceedings to form a Tourism Improvement District by the adoption of a resolution expressing its intention to form a Tourism Improvement District, if it determines that:
- i) Assessed Businesses representing over fifty percent (50%) of the sleeping rooms in the proposed Tourism Improvement District, which also represent over fifty percent (50%) of all assessed Businesses by number within the proposed Tourism Improvement District, have submitted petitions in favor of the formation of the Tourism Improvement District; or
  - ii) Assessed Businesses who will pay more than fifty percent (50%) of the Assessments proposed to be levied, which also represent over fifty percent (50%) of all assessed Businesses by number within the proposed Tourism Improvement District, have submitted petitions in favor of the formation of the Tourism Improvement District.
- (c) The petition of Business Owners required under subsection (a) shall include a summary of the Tourism Improvement District Plan. That summary shall include all of the following:
- i) A map showing the boundaries of the Tourism Improvement District.
  - ii) The types or categories of Businesses that will be subject to the Assessment.
  - iii) The Assessment rate for each type or category of Business that will be subject to the Assessment.
  - iv) Information specifying where the complete Tourism Improvement District Plan can be obtained.
  - v) Information specifying that the complete Tourism Improvement District Plan shall be furnished upon request.
- (d) The resolution of intention described in subsection (a) shall contain all of the following:
- i) A brief description of the proposed Activities and Improvements, the amount of the proposed Assessment, a statement describing the Businesses within the proposed Tourism Improvement District that will be subject to the Assessment, and a description of the exterior boundaries of the proposed Tourism Improvement District, which may be made by reference to any plan or map that is on file with the Clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable a Business Owner to generally identify the nature and extent of the Activities and Improvements, and the location and extent of the proposed Tourism Improvement District.

- ii) A time and place for a public hearing on the establishment of the Tourism Improvement District and the levy of Assessments, which shall be consistent with the requirements of Section 7.

Section 7. Procedure to Establish or Renew a Tourism Improvement District and Levy Assessment.

- (a) If the County Legislature has adopted a resolution of intention to establish or renew a Tourism Improvement District and levy a new or increased Tourism Improvement District Assessment, it shall hold a public hearing on the establishment or renewal of the Tourism Improvement District prior to adoption of the resolution establishing or renewing the Tourism Improvement District and levying the Assessment. Notice of the public hearing shall be mailed to the owners of the Businesses proposed to be subject to the Assessment.
- (b) The County Legislature shall provide at least thirty (30) days' written notice of the public hearing at which the County Legislature proposes to establish or renew the Tourism Improvement District and levy the Assessment.
- (c) A protest may be made by any Business Owner that will be subject to the proposed Assessment. Every protest must be in writing and shall be filed with the Clerk at or before the time fixed for the public hearing. The County Legislature may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the Business in which the person subscribing the protest is interested sufficient to identify the Business and, if a person subscribing is not shown on the official records of the County as the owner of the Business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the Business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from Business Owners representing more than fifty percent (50%) of the same basis used to determine the petition in Section 6 (a) and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed Assessment against such Businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the County Legislature.

Section 8. Changes to Proposed Tourism Improvement District Plan

At the conclusion of the public hearing to establish or renew the Tourism Improvement District, the County Legislature may adopt, revise, change, reduce, or modify the proposed Assessments, the boundaries of the Tourism Improvement District, or the types or categories of Businesses within the Tourism Improvement District subject to the Assessment. Proposed Assessments may only be revised by reducing any or all of them. The proposed Tourism Improvement District boundary may only be revised to exclude territory that will not benefit from the proposed Activities and Improvements. The types or categories of Businesses that will be subject to the proposed Assessment may only be revised to exclude the Business types or categories that will not benefit from the proposed Activities and Improvements. Any modifications, revisions, reductions, or changes to the proposed Tourism Improvement District Plan shall be reflected in the Tourism Improvement District Plan prior to the County Legislature' adoption of the resolution creating or renewing the Tourism Improvement District.

#### Section 9. Resolution Establishing or Renewing a Tourism Improvement District

- (a) If the County Legislature, following the public hearing, decides to establish or renew a proposed Tourism Improvement District, the County Legislature shall adopt a resolution of formation or renewal that shall include, but is not limited to, all of the following:
  - i) A brief description of the proposed Activities and Improvements, the amount of the proposed Assessment, a statement as to the types or categories of Businesses that will be subject to the Assessment, and a description of the exterior boundaries of the Tourism Improvement District, which may be made by reference to any plan or map that is on file with the County Clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the Activities and Improvements and the location and extent of the Tourism Improvement District.
  - ii) The number, date of adoption, and title of the resolution of intention.
  - iii) The time and place where the public hearing was held concerning the establishment or renewal of the Tourism Improvement District.
  - iv) A determination regarding any protests received. The County Legislature shall not establish or renew the Tourism Improvement District or levy Assessments if a majority protest was received.
  - v) A statement that the Businesses in the Tourism Improvement District established by the resolution shall be subject to any amendments to this law.
  - vi) A statement that the Activities and Improvements to be conferred on Businesses in the Tourism Improvement District will be funded by the levy of Assessments. The revenue from the levy of Assessments within a Tourism Improvement District shall not be used to for any purpose

other than the purposes specified in the Tourism Improvement District Plan, as modified by the County Legislature at the hearing concerning establishment or renewal of the Tourism Improvement District.

vii) A finding that the Businesses within the Tourism Improvement District will be benefited by the Activities and Improvements funded by the Tourism Improvement District Assessments.

(b) The adoption of the resolution of formation or renewal shall constitute the levy of Assessments in each of the fiscal years referred to in the Tourism Improvement District Plan.

Section 10. Expiration of Tourism Improvement District; Creation of new Tourism Improvement District Plan; Renewal of Tourism Improvement District.

If a Tourism Improvement District expires due to the time limit set pursuant to subsection (g) of Section 5, a new Tourism Improvement District Plan may be created and the Tourism Improvement District may be renewed pursuant to this law.

Section 11. Time and Manner of Collection of Assessments; Delinquent Payments.

The collection of the Assessments levied pursuant to this law shall be made at the time and in the manner set forth by the County Legislature in the resolution establishing or renewing the Tourism Improvement District and levying the Assessments. All delinquent payments for Assessments levied pursuant to this part may be charged interest and penalties.

Section 12. Time for Contesting Validity of Assessment.

The validity of an Assessment levied under this law shall not be contested in any action or proceeding unless the action or proceeding is commenced within thirty (30) days after the resolution establishing or renewing a Tourism Improvement District and levying the Assessment is adopted pursuant to Section 9. Any appeal from a final judgment in an action or proceeding shall be perfected within thirty (30) days after the entry of judgment.

Section 13. Certification to Establish Levels of County Services and Funding.

Prior to the establishment of a Tourism Improvement District, the County Legislature may certify the levels of County services and funding that will continue after a Tourism Improvement District has been formed.

Section 14. Request to Modify Tourism Improvement District Plan.

The owners' association may, at any time, request that the County Legislature modify the tourism improvement district plan. Any modification of the tourism improvement district plan shall be made pursuant to this law. The tourism improvement district plan shall not be modified, except by the request of the Owners' Association and only in the manner requested by the Owners' Association.

Section 15. Modification of Tourism Improvement District Plan by Resolution after Public Hearing; Adoption of Resolution of Intention.

- (a) Upon the written request of the Owners' Association, the County Legislature may modify the Tourism Improvement District Plan after conducting one (1) public hearing on the proposed modifications. The County Legislature may modify the Activities and Improvements to be funded with the revenue derived from the levy of the Assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of new or increased Assessments, the County Legislature shall comply with Section 7. Notice of all other public hearings pursuant to this section shall comply with both of the following:
  - i) The resolution of intention shall be published in a newspaper of general circulation in the County once at least seven (7) days before the public hearing.
  - ii) A complete copy of the resolution of intention shall be mailed by first class mail, at least ten (10) days before the public hearing, to each Business Owner affected by the proposed modification.
- (b) The County Legislature shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than ninety (90) days after the adoption of the resolution of intention.

Section 16. Report by Owners' Association; Approval or Modification by County Legislature.

- (a) The Owners' Association shall cause to be prepared a report for each fiscal year, except the first year, for which Assessments are to be levied and collected to pay the costs of the Activities described in the report. The Owners' Association's first report shall be due ninety (90) days after the first year of operation of the Tourism Improvement District.
- (b) The report shall be filed with the Clerk and shall refer to the Tourism Improvement District by name, specify the fiscal year to which the report

applies, and, with respect to that fiscal year, shall contain all of the following information:

- i) The Activities and Improvements to be provided for that fiscal year.
  - ii) An estimate of the cost of providing the Activities and Improvements for that fiscal year.
  - iii) The method and basis of levying the Assessments in sufficient detail to allow each Business Owner to estimate the amount of the assessment to be levied against his or her Business for that fiscal year.
  - iv) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (c) The County's Department of Audit and Control shall, upon requests the Owners Association for a copy of all reports and documents provided under this Section.

#### Section 17. Designation of Owners' Association to Provide Activities and Improvements

The Tourism Improvement District Plan may, but is not required to, state that an Owners' Association will provide the Activities and Improvements described in the Tourism Improvement District Plan. If the Tourism Improvement District Plan designates an Owners' Association, the County Legislature shall contract with the designated nonprofit corporation to provide Activities and Improvements in the Tourism Improvement District.

#### Section 18. Renewal of Tourism Improvement District; Transfer or Refund of Remaining Revenues

- (a) Any Tourism Improvement District previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this law.
- (b) Upon renewal, any remaining revenues derived from the levy of Assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed Tourism Improvement District.
- (c) There is no requirement that the boundaries, Assessments, Activities, or Improvements of a renewed Tourism Improvement District be the same as the original or prior Tourism Improvement District.

#### Section 19. Circumstances Permitting Disestablishment of Tourism Improvement District; Procedure.



- (a) Any Tourism Improvement District established or extended pursuant to the provisions of this law, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Tourism Improvement District, may be disestablished by resolution by the County Legislature in either of the following circumstances:
- i) If the County Legislature finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the Tourism Improvement District, it shall notice a hearing on disestablishment.
  - ii) During the operation of the Tourism Improvement District, there shall be a thirty (30) day period in which Businesses subject to the Assessment may request disestablishment of the Tourism Improvement District. The first such period shall begin two (2) years after the date of establishment of the Tourism Improvement District and shall continue for thirty (30) days. Each successive year of operation of the Tourism Improvement District shall have such a thirty (30) day period. Upon the written petition of Business Owners representing more than fifty percent (50%) of the same bases used to determine the petition in Section 6 (a), the County Legislature shall pass a resolution of intention to disestablish the Tourism Improvement District. The County Legislature shall notice a hearing on disestablishment.
- (b) The County Legislature shall adopt a resolution of intention to disestablish the Tourism Improvement District prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the Assessments levied within the Tourism Improvement District. The notice of the hearing on disestablishment required by this section shall be given by mail to the owner of each Business subject to Assessments in the Tourism Improvement District. The County Legislature shall conduct the public hearing not less than thirty (30) days after mailing the notice to the Business Owners. The public hearing shall be held not more than sixty (60) days after the adoption of the resolution of intention. At the conclusion of the public hearing, the County Legislature shall adopt a resolution disestablishing the Tourism Improvement District.

Section 20. Refund of Remaining Revenues upon Disestablishment or Expiration without renewal of Tourism Improvement District; Calculation of Refund; Use of Outstanding Revenue Collected after Disestablishment of Tourism Improvement District.

Upon the disestablishment or expiration without renewal of a Tourism Improvement District, any remaining revenues, after all outstanding debts are paid, derived from the levy of Assessments, or derived from the sale of assets acquired with the revenues, shall be spent in accordance with the Tourism Improvement District Plan or shall be refunded to the owners of the Businesses then located and operating within the Tourism Improvement District in which Assessments were levied by applying the same method and basis that was used to calculate the Assessments levied in the fiscal year in which the Tourism Improvement District is disestablished or expires.

Section 21. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 22. Effective Date.

This local law shall take effect immediately.

## LOCAL LAW NO. "B" FOR 2021

### A LOCAL LAW OF THE COUNTY OF ALBANY PROVIDING FOR REDUCTION OF THE REDEMPTION PERIOD TO ONE YEAR FOR RESIDENTIAL PROPERTY LOCATED WITHIN A LOCAL MUNICIPALITY WHICH HAS BEEN DETERMINED BY IT PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 1111-a (SUBD. 2 (B)) TO BE VACANT AND ABANDONED

Introduced: 2/8/20

By Mr. Peter and Ms. McLaughlin:

BE IT ENACTED by the Legislature of the County of Albany as follows:

#### Section 1. Legislative Intent and purpose.

A. Section 11 Il-a of the Real Property Tax Law provides that, except in cities with a population of one million or more, the enforcing officer of a local municipality or his or her agent may determine that residential real property located therein may be subject to a redemption period of one year, only if the enforcing officer or his or her agent makes an affidavit to that effect and the property has been placed on a local municipal roll, or registry or list of vacant and abandoned property maintained by the taxing municipality

B. Section 1122 (subd. 2 (b)) of the Real Property Tax Law provides that a Tax District may have a separate roll registry or list for residential property identified by a local municipality pursuant to Section 1 Ill-a of the Real Property Tax Law as being vacant and abandoned.

C. Section 1110 (subd. 2) of the Real Property Tax Law provides that a Tax District may reduce the redemption period for residential vacant and abandoned property located within a local municipality to one year provided the property has been placed on a vacant and abandoned roll, or registry or list prior to the date on which real property taxes became delinquent in the local municipality pursuant to Section 1111-a of the Real Property Tax Law.

D. The purpose of this Local Law is to:

(1) authorize implementation by the County of Albany Tax District of the provisions of Sections 1110 (subd. 2) and 1122 (subd. (2)) of the Real Property Tax Law with respect to residential vacant and abandoned property located within local municipalities in the County of Albany Tax District that have authorized implementation by said local municipality of Section 1111-a of the Real Property Tax

Law; and

(2) require that those local municipalities located within the Tax District which have as authorized by Section 11 Il-a of the Real Property Tax Law therein at the time of the submission to the Albany County Tax District of said municipality's roll of properties determined by its enforcing officer to be vacant and abandoned, as a prerequisite to the acceptance of said roll by the County of Albany Tax District, shall therewith include an Affidavit of said enforcing officer:

(a) attesting that said local municipality as authorized by Section 11 Il-a of the Real Property Tax Law has duly authorized implementation of said Section 11 Il-a

within said local municipality at the time of its submission to the County of Albany Tax District of its separate roll for properties determined by it to be vacant and abandoned;

(b) attesting that said roll of vacant and abandoned real property submitted by it to the County of Albany Tax District has been created by said local municipality in conformity with the requirements of Section 11 Il-a of the Real Property Tax Law; and

(c) attesting that the time limitation on making an application to the Supreme Court for CPLR Article 78 review pursuant to Section 11 Il-a (subd. 5) of the Real Property Tax Law as to the properties listed on the separate roll for properties determined by said municipality to be vacant and abandoned submitted to the County of Albany Tax District has expired and that there is no such review application is pending as to any of the properties therein listed.

## SECTION 2. Severability

If any 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 3. Effective Date

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

## LOCAL LAW NO. "C" FOR 2021

### A LOCAL LAW ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING OWNER LIABILITY FOR FAILURE OF AN OPERATOR TO STOP FOR A SCHOOL BUS DISPLAYING A RED VISUAL SIGNAL AND STOP-ARM

Introduced: 2/8/21

By Mr. Efekoro, Ms. Lekakis, Messrs. Miller and A. Joyce:

BE IT ENACTED by the County Legislature of the County of Albany as follows:

#### **Section 1. Legislative Intent**

In April 2019, the Governor signed legislation (S04524-B/A04950) authorizing local governments to enter into agreements with school districts for the installation and operation of school bus photo violation monitoring systems on school buses owned or operated by such school districts.

The State legislation allows local governments to impose liability on the owners of motor vehicles for the failure of the drivers of such vehicles to comply with the Law prohibiting the overtaking and/or passing of stopped school buses displaying red visual signals.

Multiple jurisdictions across the state and country have enacted similar legislation in response to a growing concern over the number of violations that occur while a school bus stop-arm is deployed; thereby endangering the lives of children.

Technological advancements now allow for the monitoring, capture, transfer and review of school bus stop arm infractions in violation of New York State Vehicle and Traffic Law. This Legislature finds that the use of comprehensive school bus photo violation monitoring systems can play an instrumental role in ensuring child safety and motorist accountability throughout Albany County; therefore

BE IT ENACTED by the Legislature of the County of Albany as follows:

#### **Section 2. Definitions**

For purposes of this Local Law, the following terms shall have the following meanings:

- a. "County" shall mean the County of Albany;
- b. "Manual on uniform traffic control devices" or "MUTCD" shall mean the manual and specifications for a uniform system of traffic control devices maintained by the Commissioner of Transportation pursuant to section 680 of the New York Vehicle and Traffic Law;

- c. "Owner" shall have the meaning provided in article two-b of the New York Vehicle and Traffic Law; and
- d. "School bus photo violation monitoring system" shall mean a device that is capable of operating independently of an enforcement officer which is installed to work in conjunction with a school bus stop arm which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of a vehicle at the time it is used or operation in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law.

### **Section 3. Program Established**

- a. There is hereby established a demonstration program imposing monetary liability on owners of vehicles for failure of the operators thereof to comply with section 1174 of the New York Vehicle and Traffic Law.
- b. Under such demonstration program the County is empowered to install and operate school bus photo violation monitoring systems which may be stationary or mobile, and which may be installed, pursuant to an agreement with a school district within the County on school buses owned and operated by such school district or privately owned and operated for compensation under contract with such district. Provided however, that:
  - i. No stationary school bus photo violation monitoring system shall be installed or operated by the County except on roadways under jurisdiction of the County.
  - ii. No mobile school bus photo violation monitoring system shall be installed or operated on any such school buses unless the County and such district enter into an agreement for such installation and operation.
- c. The County Executive is hereby authorized to enter into agreements with school districts for the installation, maintenance and use of school bus photo violation monitoring systems, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County, subject to the provisions of this Section and §1174 of the New York State Vehicle and Traffic Law. Provided however, that the County shall not enter into an agreement with any city school district wholly contained within a city.
- d. Nothing in this Local Law shall be construed to prevent the County or a school district at any time from withdrawing or terminating any agreement entered into pursuant to this Local Law; provided, however, that the County or the

school district shall provide no less than thirty (30) days' notice to other signatories of such agreement before withdrawing or terminating.

- e. The cost to the school district of the installation, maintenance and uses of school bus photo violation monitoring systems pursuant to an agreement authorized by this Local Law shall be borne entirely by the County. On or before September first of each year, the school district shall determine and certify to the County the total cost to the school district for the school year ending the preceding June thirtieth of installing, maintaining and using such systems within the County, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other record images and data produced by such systems to the County. On or before the following December first of each year, the County shall pay to the school district such cost so certified to it on or before the preceding September first.
- f. The County shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo violation monitoring device. Such measures shall include:
  - i. The utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such school bus violation monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle, pedestrians and cyclists;
    - A. However, a Notice of Liability issued pursuant to this Section shall not be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provide however that the County has made reasonable efforts to comply with the provisions of this paragraph;
  - ii. A prohibition on the use or dissemination of vehicle's license plate information and other information and images captured by school bus photo violation monitoring systems except: (a) as required to establish liability under this section or collect payment of penalties; (b) as required by court order; or (c) as otherwise required by law;
  - iii. The installation of signage in conformance with standards established in the MUTCD at each roadway entrance of the jurisdictional boundaries of the County giving notice that school bus photo violation

- monitoring systems are used to enforce restrictions on vehicles violating section 1174 of the New York State Vehicle and Traffic Law. For purposes of this paragraph the terms “roadway” shall not include state expressway routes or state interstate routes but shall include controlled-access highway exit ramps that enter the boundaries of the County; and
- iv. Oversight procedures to ensure compliance with the aforementioned privacy protection measures.

#### **Section 4. Penalties**

An owner found liable for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law shall be liable pursuant to this Local Law for monetary penalties in accordance with the following fee schedule of fines and penalties:

- a. Two hundred and fifty dollars for a first violation;
- b. Two hundred and seventy five dollars for a second violation committed within eighteen months of the first violation;
- c. Three hundred dollars for a third or subsequent violation, all of which were committed within eighteen months from the first violation, and
- d. An additional penalty of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period.

#### **Section 5. Notice of Liability**

- a. A Notice of Liability shall be sent by first class mail to each person alleged to be liable as an owner of a vehicle, for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of delivery to the owner of the vehicle.
- b. A Notice of Liability shall contain:
  - i. the name and current address of the person alleged to be liable as an owner for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law; and
  - ii. the registration number of the vehicle involved in such violation; and
  - iii. the specific location where such violation took place, including the name of the road/street, the abutting address, the town/city/village, and the county and state; and
  - iv. the date and time of such violation; and
  - v. the identification number of the camera which recorded the violation or other document locator number.



- c. A Notice of Liability shall contain information advising the owner of the manner and the time in which he or she may contest the liability alleged in the notice.
- d. Such Notice of Liability shall also contain a warning to advise the owners that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.
- e. The Notice of Liability shall be prepared and mailed by the County or local municipality in which the violation occurred, or by an entity authorized by the County or local municipality to prepare and mail said Notice of Liability.

### **Section 6. Owner Liability**

- a. The demonstration program established hereunder shall provide that the owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, and such violation is evidenced by information obtained from a school bus photo violation monitoring system; provided, however, that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of NY Vehicle and Traffic Law §1174(a) pursuant to this Local Law. For purposes of this subsection, there shall be a rebuttable presumption that such vehicle was used and operated with the consent of the owner at the time it as used or operated in violation of NY Vehicle and Traffic Law §1174(a).
- b. If an owner receives a Notice of Liability pursuant to this Local Law for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid affirmative defense to an allegation of liability for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that the vehicle had been stolen and reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the affirmative defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent by first class mail to the court having jurisdiction.
- c. An owner who is a lessor of a vehicle to which a Notice of Liability was issued pursuant to this Local Law shall not be liable for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, provided that the entity or person sends to the Court a copy of the rental, lease or other such contract document covering such vehicle on the date or the violation, with the name and address of the lessee clearly legible, within 37 days after receiving

notice from the agency of the date and time of such violation, together with the other information contained in the original notice of liability. Failure to send such information within such 37-day time period shall render the owner liable for the penalty prescribed by this Local Law. Where the Lessor complies with the provisions of this paragraph, the Lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law and shall be sent a notice of liability pursuant to section 4 of this Local Law.

- d. A certificate sworn to or affirmed by a technician employed by the County, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a school bus photo violation monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation, and shall be preserved for said proceeding.
- e. It shall be a defense to any prosecution for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that such school bus stop-arms were malfunctioning at the time of the alleged violation, and said photographs, microphotographs, videotape or other recorded images shall be made available to any person or entity issued a Notice of Liability or violation to use for a defense.
- f. For the purpose of informing and educating owners of motor vehicles in this County, during the first thirty-day period in which a school bus violation monitoring system is in operation pursuant to the provisions of this Local Law, all owners of motor vehicles who would otherwise be held liable for failure of operators thereof to comply with subdivision (a) of section 1174 of the New York Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20 and 21-c of section 375 of such law, shall be issued a written warning in lieu of a notice of liability.

### **Section 7. Adjudication of Liability**

Liability pursuant to the demonstration program established hereunder shall be imposed upon owners by the local municipality wherein such violation occurred.

### **Section 8. Action for Indemnification**

If the owner held liable for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law was not the operator

of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

### **Section 9. Annual Report**

- a. The County shall submit an annual report on the results of the use of a school bus photo violation monitoring system as required and provided for in NY Vehicle and Traffic Law § 1174-a(m).
- b. The County shall annually provide a copy of the annual report submitted pursuant to this Local Law, to each local law enforcement agency having jurisdiction to enforce violations of the vehicle and traffic law or any ordinance rule or regulation relating to traffic adopted pursuant to such law on roadways within the County.

### **Section 10. SEQRA Determination.**

This County Legislature determines that the adoption of this Local Law constitutes a “Type II action” as said term is defined in the State Environmental Quality Review Act (“SEQRA”), and that no further action with respect to same is required under SEQRA.

### **Section 11. Severability**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 12. Effective Date**

This Local Law shall be effective upon filing with the Secretary of State.

## LOCAL LAW NO. "D" FOR 2021

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, THE RESTAURANT PROTECTION LAW, IN RELATION TO THIRD-PARTY DELIVERY SERVICES

Introduced: 2/8/21

By Grimm, Mauriello, Lockart, Perlee, Burgdorf, Drake, Langdon, Tunny, Whalen

**BE IT ENACTED** by the County Legislature of the County of Albany as follows:

#### SECTION 1.

##### **Definitions:**

(a) Agreement. The term "agreement" means a written contract between a food service establishment and a third-party food delivery service authorizing the inclusion of the food service establishment's menu or products on the third-party food delivery service's platform.

(b) Food service establishment. The term "food service establishment" means any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short-order cafe; delicatessen; luncheonette; grill; tearoom; sandwich shop; soda fountain; bar; tavern; cocktail lounge; night club; roadside stand; take-out prepared food place; retail bakery; industrial feeding establishment; private, public or nonprofit organization or institution, including: schools; nursing homes; day care centers and hospitals; religious and fraternal organizations routinely serving food; catering kitchens; commissary or similar places in which food is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for the public, with or without charge.

(c) Third-party food delivery service. The term "third-party food delivery service" means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, food service establishments located in the County that are owned and operated by someone other than the third party food delivery service itself.

(d) Third-party food delivery platform. The term "third-party delivery platform" means the online or mobile electronic platform of the third-party food delivery service on which a consumer may view products available for sale and place an order for a food service establishment's products.

#### SECTION 2.

##### **Prohibited Advertising/Contract Provisions**

(a) It shall be unlawful for a third-party food delivery service to list, advertise, promote, or sell a food service establishment's products, or arrange for an order of such products, on a third-party

food delivery service platform without a valid written agreement with the food service establishment authorizing the inclusion of their products on such platform.

(b) An agreement executed in accordance with this section shall not include a provision, clause, or covenant that requires a food service establishment to indemnify the third-party food delivery service, any independent contractor acting on behalf of the third-party food delivery service, or any registered agent of the third-party food delivery service, for any damages or harm by an act or omission occurring after the food service establishment's product leaves the place of business of the food service establishment. To the extent an agreement contains such a provision, such provision shall be deemed void and unenforceable.

### **SECTION 3.**

#### **Enforcement.**

(a) A food service establishment included on a third-party food delivery platform in violation of this local law shall have the right to bring an action in a court of competent jurisdiction for damages, penalties as set forth in this section, and injunctive relief. Such court, in its discretion, may also award reasonable court costs and attorneys' fees.

(b) Any person or company that violates any provision of this local law shall be subject to a civil penalty of up to one thousand dollars per violation. Each day a food service establishment is included on a third-party food delivery platform shall be considered a separate violation. Each and every food service establishment improperly included on a third-party food delivery platform shall be considered a separate violation.

### **SECTION 4.**

#### **State Environmental Quality Review Act Compliance**

This County Legislature determines that the adoption of this Local Law constitutes a "Type II" action" as said term is defined in the State Environmental Quality Review Act ("SEQRA"), and that no further action with respect to same is required under SEQRA.

### **SECTION 5.**

#### **Effective Date.**

This local law shall take effect upon filing with the New York Secretary of State.