

County of Albany

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



Meeting Agenda

Monday, August 9, 2021

7:00 PM

**William J. Conboy II Legislative Chambers
Albany County Courthouse
Room 710**

County Legislature

Call to Order

Roll Call

CURRENT BUSINESS:

238 AUTHORIZING AN AGREEMENT WITH BUNKOFF GENERAL CONTRACTORS, INC. FOR GENERAL CONSTRUCTION SERVICES REGARDING THE STABILIZATION AND REHABILITATION OF SHAKER HISTORIC VILLAGE

Sponsors: Public Works Committee

239 AUTHORIZING AN AGREEMENT WITH JOE BASIL CHEVROLET, INC. REGARDING THE PURCHASE OF TWO 2022 CHEVROLET SILVERADO 3500HD CREW CAB TRUCKS

Sponsors: Public Works Committee

240 AUTHORIZING AN AGREEMENT WITH TRIUS, INC. REGARDING THE PURCHASE OF AN ASPHALT HOT BOX AND AMENDING THE 2021 DEPARTMENT OF PUBLIC WORKS BUDGET

Sponsors: Public Works Committee

241 AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC. REGARDING THE PURCHASE OF TWO FELLING TRAILERS AND AMENDING THE 2021 DEPARTMENT OF PUBLIC WORKS BUDGET

Sponsors: Public Works Committee

242 AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC. REGARDING THE PURCHASE OF A 2022 WESTERN STAR 4900SF TANDEM DUMP TRUCK

Sponsors: Public Works Committee

243 AUTHORIZING THE ACCEPTANCE OF A PUBLIC ART INSTALLATION ALONG THE ALBANY COUNTY HELDERBERG-HUDSON RAIL TRAIL

Sponsors: Public Works Committee

244 AUTHORIZING AGREEMENTS REGARDING THE 2021 SUMMER YOUTH EMPLOYMENT PROGRAM AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Sponsors: Social Services Committee

245 AUTHORIZING AGREEMENTS WITH VARIOUS AGENCIES REGARDING THE FACILITATION OF SERVICES ASSOCIATED WITH THE FAMILY FIRST PREVENTION SERVICES ACT

Sponsors: Social Services Committee

246 AUTHORIZING AN AGREEMENT WITH CARES, INC. REGARDING REIMBURSEMENT FOR HOMELESS SHELTER SERVICES DURING INCLEMENT WINTER WEATHER

Sponsors: Social Services Committee

247 AUTHORIZING AN AGREEMENT WITH CARES, INC. REGARDING REIMBURSEMENT FOR EMERGENCY HOMELESS SHELTER SERVICES FOR COVID INFECTED OR QUARANTINED HOMELESS INDIVIDUALS AND FAMILIES

Sponsors: Social Services Committee

248 AUTHORIZING AN AGREEMENT AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: SAFE SUMMER 2021

Sponsors: Social Services Committee

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

Sponsors: Conservation and Sustainability and Green Initiatives Committee

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

Sponsors: Law Committee

251 AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH, INC. REGARDING COVID-19 GRANT FUNDING AND AMENDING THE 2021 DEPARTMENT OF HEALTH BUDGET

Sponsors: Health Committee

252 AUTHORIZING AN AGREEMENT WITH QUADRANT BIOSCIENCES FOR COVID-19 TESTING IN K-12 SCHOOLS IN ALBANY COUNTY

Sponsors: Health Committee

253 AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS REGARDING THE PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM AND AMENDING THE 2021 SHERIFF'S OFFICE BUDGET

Sponsors: Public Safety Committee

254 AUTHORIZING AN AGREEMENT WITH SIV AMBULANCE FOR THE PURCHASE OF A 2022 FORD F450 CHASSIS TO BE REMOUNTED INTO AN EXISTING AMBULANCE FOR THE ALBANY COUNTY SHERIFF'S OFFICE

Sponsors: Public Safety Committee

255 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE BYRNE JUSTICE ASSISTANCE GRANT PROGRAM FUNDING

Sponsors: Public Safety Committee

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

Sponsors: Personnel Committee

257 AUTHORIZING THE DEPARTMENT OF HEALTH TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF ASSISTANT DIRECTOR OF ENVIRONMENTAL HEALTH

Sponsors: Personnel Committee

258 ADOPTING THE ALBANY COUNTY CAPITAL PROGRAM FOR 2022-2026

Sponsors: Audit and Finance Committee

259 AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITY OF COHOES

Sponsors: Audit and Finance Committee

260 AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE SHAKER PLACE REHABILITATION AND NURSING CENTER

Sponsors: Audit and Finance Committee

261 AUTHORIZING AN AGREEMENT WITH RONCO SPECIALIZED SYSTEMS REGARDING A NURSE CALL INTEGRATION SYSTEM FOR SHAKER PLACE REHABILITATION AND NURSING CENTER

Sponsors: Audit and Finance Committee

262 AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: SECURITY GUARDS

Sponsors: Audit and Finance Committee

263 AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: ADMINISTRATIVE ADJUSTMENTS

Sponsors: Audit and Finance Committee

264 RESCINDING AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 439 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 8 DELAWARE STREET (TAX MAP NO. 76.65-1-54) IN THE CITY OF ALBANY

Sponsors: Audit and Finance Committee

265 AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 4092 ALBANY STREET (TAX MAP NO. 16.4-6-35) IN THE TOWN OF COLONIE

Sponsors: Audit and Finance Committee

266 PUBLIC HEARING REGARDING MULTIPLE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS

Sponsors: Audit and Finance Committee

267 AUTHORIZING AGREEMENTS REGARDING ALBANY COUNTY INSURANCE COVERAGE

Sponsors: Law Committee

268 PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "H" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK RELATING TO THE SAFE USE OF ELECTRIC SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

Sponsors: Domalewicz

269 APPOINTING FOUR MEMBERS TO THE ALBANY COUNTY COMMISSION ON REDISTRICTING

Sponsors: A. Joyce, Feeney, Clay and Mauriello

LOCAL LAWS:

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, Mauriello, Lockart, Perlee, Burgdorf, Drake, Tunny, Whalen, A. Joyce, Feeney, Plotsky, Ricard, Peter, Lekakis, McLean Lane and Miller

LOCAL LAW NO. "G" FOR 2021: A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

Sponsors: Plotsky, Touchette, Smith, A. Joyce, Efekoro, R. Joyce, McLaughlin, Peter, Ricard, Ward, Burgdorf, Drake, Lockart, Mauriello, Perlee, Tunny, Whalen and Cunningham

LOCAL LAW NO. "H" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK RELATING TO THE SAFE USE OF ELECTRIC SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

Sponsors: Domalewicz, Feeney, Bruschi, Commisso and Ricard

Adjournment

RESOLUTION NO. 238

AUTHORIZING AN AGREEMENT WITH BUNKOFF GENERAL CONTRACTORS, INC. FOR GENERAL CONSTRUCTION SERVICES REGARDING THE STABILIZATION AND REHABILITATION OF SHAKER HISTORIC VILLAGE

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, By Resolution No. 58 for 2016, this Honorable Body authorized an agreement with the New York State Economic Development Councils regarding the administration of the New York State Local Government Efficiency Grant for the preservation of structures at the Shaker Site in the amount of \$500,000, and

WHEREAS, The Department of General Services, through the County Purchasing Agent, issued a request for bids and two bids were received for the Stabilization and Rehabilitation of Shaker Historic Village, and

WHEREAS, The Commissioner of the Department of General Services has requested authorization to enter into an agreement with Bunkoff General Contractors, Inc. for general construction services regarding the Stabilization and Rehabilitation of Shaker Historic Village in the amount of \$848,800 for a term commencing September 1, 2021 and ending December 31, 2022, and

WHEREAS, The Commissioner indicated the proposed agreement will include selective demolition, wood and metal repairs, and rehabilitation of the Brethren's Workshop and the Trustee's Office at the Shaker Historic Village, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Bunkoff General Contractors, Inc., Latham, NY 12110 for general construction services regarding the Stabilization and Rehabilitation of Shaker Historic Village in the amount of \$848,800 for a term commencing September 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. 239

**AUTHORIZING AN AGREEMENT WITH JOE BASIL CHEVROLET, INC.
REGARDING THE PURCHASE OF TWO 2022 CHEVROLET SILVERADO
3500HD CREW CAB TRUCKS**

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Joe Basil Chevrolet, Inc. for the purchase and delivery of two 2022 Chevrolet Silverado 3500HD Crew Cab Trucks in amount not to exceed \$114,178 for a term commencing August 1, 2021 and ending December 31, 2021, and

WHEREAS, The Department of Public Works, through the County Purchasing Agent, using the New York Mini-Bid contract system, has recommended Joe Basil Chevrolet, Inc. for the purchase and delivery of two 2022 Chevrolet Silverado 3500HD Crew Cab Trucks and manufacturer's warranty for the vehicles in accordance with the Public Works Vehicle and Truck Replacement Program, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Joe Basil Chevrolet, Inc., Depew, NY 14043 for the purchase and delivery of a 2022 Chevrolet Silverado 3500HD Crew Cab Service Trucks in amount not to exceed \$114,178 for a term commencing August 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. 240

AUTHORIZING AN AGREEMENT WITH TRIUS, INC. REGARDING THE PURCHASE OF AN ASPHALT HOT BOX AND AMENDING THE 2021 DEPARTMENT OF PUBLIC WORKS BUDGET

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Trius, Inc. regarding the purchase and delivery of an Asphalt Hot Box in the amount of \$36,213 for a term commencing August 1, 2021 and ending December 31, 2021, and

WHEREAS, The Department of Public Works, using the National Cooperative Purchasing Alliance, has recommended Trius, Inc. for the purchase and delivery of an Asphalt Hot Box and manufacturer's warranty, and

WHEREAS, The Commissioner has also indicated that a budget amendment to the 2021 Department of Public Works Budget in the amount of \$36,213 is necessary for the aforementioned purchase, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Trius, Inc., Fort Edward, NY 12828 regarding the purchase and delivery of an Asphalt Hot Box in amount not to exceed \$36,213 for a term commencing August 1, 2021 and ending December 31, 2021, and, be it further

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

Decrease Appropriation Account D5112.4 by \$36,213 by decreasing line item D5112 4 4075 Bridge & Road Repair by \$36,213

Increase Appropriation Account D5112.2 by \$36,213 by increasing line item D5112 2 2080 Specialty Equipment by \$36,213

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. 241

**AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC.
REGARDING THE PURCHASE OF TWO FELLING TRAILERS AND
AMENDING THE 2021 DEPARTMENT OF PUBLIC WORKS BUDGET**

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Tracey Road Equipment for the purchase of two Felling Trailers in the amount of \$33,235 for a term commencing August 1, 2021 and ending December 31, 2021, and

WHEREAS, The Department of Public Works, through the County Purchasing Agent and using New York State Contract, has recommended Tracey Road Equipment, Inc. for the purchase and delivery of the trailers and any warranty work, service and parts, and

WHEREAS, The Commissioner has also indicated that a budget amendment to the 2021 Department of Public Works Budget in the amount of \$33,235 is necessary for the aforementioned purchase, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tracey Road Equipment, Inc., East Syracuse, NY, 13057 for the purchase and delivery of two Felling Trailers in the amount of \$33,235 for a term commencing August 1, 2021 and ending December 31, 2021, and, be it further

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

Decrease Appropriation Account D5112.4 by \$33,235 by decreasing line item D5112 4 4075 Bridge & Road Repair by \$33,235

Increase Appropriation Account D5112.2 by \$33,235 by increasing line item D5112 2 2080 Specialty Equipment by \$33,235

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. 242

**AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC.
REGARDING THE PURCHASE OF A 2023 WESTERN STAR 4900SF
TANDEM DUMP TRUCK**

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Tracey Road Equipment, Inc. for the purchase and delivery of a new 2023 Western Star 4900SF Tandem Dump Truck to replace a similar truck in its fleet that has reached the end of its useful life in the amount of \$149,551 for a term commencing August 1, 2021 and ending May 31, 2022, and

WHEREAS, The Department, through the County Purchasing Agent, using the Onondaga County Request for Bids has recommended Tracey Road Equipment, Inc. for the purchase and delivery of a 2023 Western Star 4900SF Tandem Dump truck and any warranty work, service and parts for the vehicle, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tracey Road Equipment, Inc., East Syracuse, NY, 13057 in an amount not to exceed \$149,551 regarding the purchase and delivery of a 2023 Western Star 4700 Tandem Dump Truck to replace a similar truck in its fleet that has reached the end of its useful life in the amount of \$149,551 for a term commencing August 1, 2021 and ending May 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. 243

**AUTHORIZING THE ACCEPTANCE OF A PUBLIC ART INSTALLATION
ALONG THE ALBANY COUNTY HELDERBERG-HUDSON RAIL TRAIL**

Introduced: 8/9/21

By Public Works Committee:

WHEREAS, Theresa McTague, a local artist and educator from Voorheesville, NY, has proposed the construction and installation of a 4' x 8' permanent public art platform and mural to be installed on the Albany County Helderberg-Hudson Rail Trail and maintained by the Village of Voorheesville, at no cost to the County, and

WHEREAS, The County Executive has indicated that the two-sided structure will be located near a storage facility located at 62 Voorheesville Avenue, with the mural created on one side, and on the other side a chalkboard that invites members of the public to draw their own creations, and

WHEREAS, The County Executive has also indicated that while the structure itself would remain in the same place, the artwork would continually be replaced on an annual basis, and participation from local artists would be encouraged as opportunities for young artists to express themselves, now, therefore be it,

RESOLVED, That the County Executive is authorized to execute any necessary documents to permit the project to move forward at no cost to the County, and, be it further

RESOLVED, That the County Attorney is authorized to approve said documents 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. 244

AUTHORIZING AGREEMENTS REGARDING THE 2021 SUMMER YOUTH EMPLOYMENT PROGRAM AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Introduced: 8/9/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has indicated that the New York State Office of Temporary Disability Assistance funding is available to the Department for the operation of the 2021 Summer Youth Employment Program in cooperation with Cornell Cooperative Extension, and

WHEREAS, The Commissioner has requested authorization to enter into an agreement with Albany County Department of Social Services (DSS) regarding the 2021 Summer Youth Employment Program in the amount of \$45,000 for a term commencing April 1, 2021 and ending October 31, 2021, and

WHEREAS, The Commissioner has also requested authorization to enter into an agreement with Cornell Cooperative Extension to cover costs related to preparing program plans, monitoring programs and projects, preparing reports and other documents, as well as providing financial literacy workshops for youth participants in the 2021 Summer Youth Employment Program in the amount of \$15,000 for the term commencing April 1, 2021 and ending October 31, 2021, and

WHEREAS, The Summer Youth Employment Program is intended to introduce youth into the workforce and to help them acquire skills that can be used to improve school performance and become responsible adults while recognizing the importance of establishing education and career goals, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Albany County Department of Social Services regarding the 2021 Summer Youth Employment Program in the amount of \$45,000 for a term commencing April 1, 2021 and ending October 31, 2021, and, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cornell Cooperative Extension in the amount of \$15,000 in order to transfer appropriated funds from DSS to the Department for Children Youth and Families regarding the funding and administration of the 2021 Summer Youth Employment Program for the term commencing April 1, 2021 and ending October 31, 2021, and, be it further

RESOLVED, That the 2021 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3820 Division for Youth by \$45,000

Increase Appropriation Account A6119.4 by \$45,000 by increasing the following line items:

Increase line item A6119 4 4406 Division for Youth by \$15,000

Increase line item A6119 4 4046 Fees for Services by \$30,000

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. 245

AUTHORIZING AGREEMENTS WITH VARIOUS AGENCIES REGARDING THE FACILITATION OF SERVICES ASSOCIATED WITH THE FAMILY FIRST PREVENTION SERVICES ACT

Introduced: 8/9/21

By Social Services Committee:

WHEREAS, In 2018, New York State signed into legislation the Family First Prevention Services Act, the goal of the legislation is to reduce the number of children in congregate care, increase the number of kinship and foster care homes, and promote interventions that keep children safely at home with relatives or in the community whenever possible, and

WHEREAS, The aforementioned legislation requires that a child is placed in a qualified residential treatment program within 30 days of the start of each placement in congregate care and assessed by a licensed clinician or qualified individual (QI) to determine the appropriate level of care toward permanency, and

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to enter into agreements with the following New York State Office of Children and Family Services approved QI providers for the facilitation of services associated with the Family First Prevention Services Act:

Berkshire Farm Center & Services for Youth
LaSalle School
Northern Rivers Family of Services
St. Anne Institute
St. Catherine's Center for Children
Albany Psychological Service
JCCA Repair the World
Cornerstone Mobile Counseling
William George Agency
Hillside Children's Center
Learning Insights
Maximus US Services, Inc.

now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements with the aforementioned New York State Office of Children and Family Services approved QI providers for the facilitation of services associated with the Family First Prevention Services Act, at no cost to the County, for a term commencing September 1, 2021 and ending August 31, 2022, 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 and Critical Team Members.

RESOLUTION NO. 246

AUTHORIZING AN AGREEMENT WITH CARES, INC. REGARDING REIMBURSEMENT FOR HOMELESS SHELTER SERVICES DURING INCLEMENT WINTER WEATHER

Introduced: 8/9/21

By Social Services Committee:

WHEREAS, Pursuant to 18 CRR-NY 304.1, homeless individuals in Albany County must be protected from inclement weather when the temperatures decrease to 32 degrees and below and offered shelter to avoid hypothermia, serious injury and death, and

WHEREAS, Cares, Inc. has entered into an agreement with New York State Office of Temporary and Disability Assistance to support the efforts of Albany County Department of Social Services regarding the provision of shelter services for homeless individuals during inclement weather, and

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with Cares, Inc. regarding reimbursement for expenses incurred for Code Blue motel housing and shelter services for individuals who would not have been otherwise eligible for temporary housing assistance if not for Code Blue in the amount of \$131,713 for a term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, Capital Area Council of Churches operates a 19 bed seasonal Code Blue shelter facility which serves and protects homeless individuals from inclement winter weather when temperatures decrease to 32 degrees and below, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cares, Inc., Albany, NY 12210 regarding reimbursement for expenses incurred for motel housing and shelter for individuals in the amount of \$131,713 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 County Officials.

RESOLUTION NO. 247

AUTHORIZING AN AGREEMENT WITH CARES, INC. REGARDING REIMBURSEMENT FOR EMERGENCY HOMELESS SHELTER SERVICES FOR COVID INFECTED OR QUARANTINED HOMELESS INDIVIDUALS AND FAMILIES

Introduced: 8/9/21

By Social Services Committee:

WHEREAS, Cares, Inc. has entered into an agreement with New York State Office of Temporary and Disability Assistance for Emergency Solutions Grant Program services and to support the efforts of Albany County Department of Social Services (DSS) and to utilize DSS personnel and expertise regarding COVID infected or exposed homeless individuals and families, and

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with Cares, Inc. regarding reimbursement for emergency services performed, motel stays, food, and transportation of homeless individuals who are required to isolate due to a positive COVID test result or have a quarantine order from public health in the amount of \$140,000 for a term commencing October 1, 2020 and ending September 30, 2021, and

WHEREAS, The Commissioner has indicated that the program protects other homeless individuals in shelters by removing COVID positive or potentially positive homeless individuals from congregate shelters during their quarantine period and the ongoing efforts will need to continue to help reduce significant outbreaks in our homeless shelters especially in regards to additional COVID surges and variant strains, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cares, Inc., Albany, NY 12210 regarding reimbursement for emergency services performed, motel stays, food, and transportation of homeless individuals who are required to isolate due to a positive COVID test result or have a quarantine order from public health in the amount of \$140,000 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 County Officials.

RESOLUTION NO. 248

AUTHORIZING AN AGREEMENT AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET: SAFE SUMMER 2021

Introduced: 8/9/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to enter into an agreement with New York State Office of Children and Family Services regarding the Safe Summer 2021 program and grant funding in the amount of \$50,000 for the term commencing July 1, 2021 and ending December 31, 2021, and

WHEREAS, The Commissioner has indicated the grant funding will be used to support hyper-local stabilizing institutions in the “hot spot” zip codes identified by the New York State Office of Children and Family Services for the prevention of gun violence, and

WHEREAS, The Commissioner has also requested an amendment to the 2021 Department for Children, Youth and Families 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 New York State Office of Children and Family Services regarding the Safe Summer 2021 program and grant funding in the amount of \$50,000 for the term commencing July 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 A3820 Division for Youth by \$50,000

Increase Appropriation Account A6119.4 by \$50,000 by increasing line item A6119 4 4903 Division for Youth by \$50,000

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. 249

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

Introduced: 8/9/21

By Conservation, Sustainability and Green Initiatives Committee:

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

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

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

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

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

RESOLUTION NO. 250

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

Introduced: 8/9/21

By Law Committee:

WHEREAS, By Resolution No. 317 for 2019, this Honorable Body authorized an agreement with the New York State Office of Victim Services regarding the federal Victims of Crime Act (VOCA) Victim and Witness Assistance grant program in a total amount of \$2,009,575 over a three-year term commencing October 1, 2019 and ending September 30, 2022 with a potential two-year option 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 Office of Victim Services regarding the third year of the multi-year agreement in the amount of \$698,978 for the term commencing October 1, 2021 and ending September 30, 2022, and

WHEREAS, The Director indicated that the funding will be used to support 15 staff positions providing direct services to crime victims, as well as operational costs throughout the duration of the term, and

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 VOCA Victim and Witness Assistance grant program in the amount of \$698,978 for the term commencing October 1, 2021 and ending 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. 251

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH, INC. REGARDING COVID-19 GRANT FUNDING AND AMENDING THE 2021 DEPARTMENT OF HEALTH BUDGET

Introduced: 8/9/21
By Health Committee:

WHEREAS, The Commissioner of the Albany County Department of Health has indicated that the New York State Department of Health/Health Research, Inc. (NYSDOH/HRI) has made grant funding available in an amount not to exceed \$6,611,672 to support safe, in-person instruction in kindergarten through grade 12 schools in Albany County to slow the spread of COVID-19 for a term commencing July 1, 2021 and ending July 31, 2022, and

WHEREAS, The Commissioner further requested a budget amendment to the Department of Health 2021 budget to accept grant funding in the amount of \$3,311,672 with the remaining amount to be placed in the 2022 budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Department of Health/Health Research, Inc., in an amount not to exceed \$6,611,672 to support safe, in-person instruction in kindergarten through grade 12 schools in Albany County to slow the spread of COVID-19 for a term commencing July 1, 2021 and ending July 31, 2022, and, be it further

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

Increase Revenue Account A3343 COVID19 Epidemiology by \$3,311,672

Increase Appropriation Account A4010.1 by \$66,578 by increasing the following line items:

Create and increase Line Item A4010 1 2147 001 School Specialist by \$19,039 with an annual salary of \$55,000

Create and increase Line Item A4010 1 2147 002 School Specialist by \$19,039 with an annual salary of \$55,000

Create and increase Line Item A4010 1 2148 001 Grants Administrator by \$28,500 with an annual salary of \$78,000

Increase Appropriation Account A4010.2 by \$754,500 by increasing the following line items:

Increase Line Item A4010 2 2400 Automobiles by \$750,000

Increase Line Item A4010 2 2050 Computer Equipment by \$4,500

Increase Appropriation Account A4010.4 by \$2,490,594 by increasing Line Item A4010 4 4046 Fees for Services by \$2,490,594

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. 252

AUTHORIZING AN AGREEMENT WITH QUADRANT BIOSCIENCES FOR COVID-19 TESTING IN K-12 SCHOOLS IN ALBANY COUNTY

Introduced: 8/9/21
By Health Committee:

WHEREAS, Be Resolution No. 251 for 2021, this Honorable Body authorized an agreement with the New York State Department of Health/Health Research, Inc. (NYSDOH/HRI) to accept funding awarded to enable schools/districts in Albany County to establish COVID-19 screenings, and testing programs in order to maintain in-person learning in an amount not to exceed \$3,200,000 for a term commencing August 1, 2021 and ending July 31, 2022, and

WHEREAS, The Commissioner has requested to enter into an agreement with Quadrant Biosciences, via a sole source contract, to provide COVID-19 testing using the Clarifi COVID-19 saliva test kits, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Quadrant Biosciences, Syracuse, NY 13210, to provide COVID-19 testing in schools/districts in Albany County in an amount not to exceed \$3,200,000 for a term commencing August 1, 2021 and ending July 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. 253

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS REGARDING THE PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM AND AMENDING THE 2021 SHERIFF'S OFFICE BUDGET

Introduced: 8/9/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications to accept Public Safety Answering Points Operations Grant Program funding in the amount of \$236,969 for the term commencing January 1, 2021 and ending December 31, 2021, and

WHEREAS, The Sheriff has also requested a budget amendment to incorporate this funding into the 2021 Sheriff's Office Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications to accept Public Safety Answering Points Operations Grant Program funding in the amount of \$236,969 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 Sheriff's Office Budget is hereby amended as follows:

Increase Revenue Account A3308 PSAP Grant by \$236,969

Increase Appropriation Account A3020.4 by \$236,969 by increasing Line Item A3020 4 4036 Telephone by \$236,969

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. 254

AUTHORIZING AN AGREEMENT WITH SIV AMBULANCE FOR THE PURCHASE OF A 2022 FORD F450 CHASSIS TO BE REMOUNTED INTO AN EXISTING AMBULANCE FOR THE ALBANY COUNTY SHERIFF'S OFFICE

Introduced: 8/9/21

By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to enter into an agreement with SIV Ambulance for the purchase of a 2022 Ford F450 chassis to be remounted into an existing ambulance in an amount not to exceed \$121,200, and

WHEREAS, The Albany County Sheriff's Office, through the County Purchasing Agent, issued a request for bids regarding the purchase of the chassis and one bid was received, and

WHEREAS, The Sheriff and Purchasing Agent reviewed said bid and recommended awarding the contract to SIV Ambulance as the only responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with SIV Ambulance, Langhorne, PA 19047 regarding the purchase of a 2022 Ford F450 chassis in an amount not to exceed \$121,200, 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. 255

**AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING
THE BYRNE JUSTICE ASSISTANCE GRANT PROGRAM FUNDING**

Introduced: 8/9/21

By Public Safety Committee:

WHEREAS, The New York State Division of Criminal Justice Services (DCJS) has indicated that federal grants such as the Byrne Justice Assistance Grant offer local governments an option to pass through funding, thereby allowing the State to directly coordinate with the grantee, and

WHEREAS, The Albany County Sheriff has indicated that the County of Albany has been awarded federal funding through the Byrne Justice Assistance Grant Program in the amount of \$71,053, and

WHEREAS, The Sheriff has requested authorization to enter into an intergovernmental agreement between Albany County and the City of Albany allowing for a pass-through waiver regarding grant funding in the amount of \$71,053 and collaboration in utilizing said grant funds to enhance various City law enforcement programs, and

WHEREAS, The Sheriff has indicated by executing a pass-through waiver the County will avoid any fiduciary responsibility regarding the grant funding accepted by the City of Albany, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an intergovernmental agreement with the City of Albany providing for the waiver and a pass-through of funding related to the DCJS Byrne Justice Assistance Grant Program in the amount of \$71,053 to the City of Albany for various law enforcement purposes, 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 City and County Officials.

RESOLUTION NO. 256

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

Introduced: 8/9/21

By Personnel Committee:

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

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

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied there are no sufficiently qualified Albany County residents to fill the 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 the positions of full and part-time Paramedic and Emergency Medical Technician on the condition that such employees are required to 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 full and part-time Paramedic and Emergency Medical Technician 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 positions on the condition that said employees are required to 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 shall expire August 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. 257

AUTHORIZING THE DEPARTMENT OF HEALTH TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF ASSISTANT DIRECTOR OF ENVIRONMENTAL HEALTH

Introduced: 8/9/21

By Personnel Committee:

WHEREAS, The Commissioner of the Department of Health has diligently sought out qualified applicants for the position of Assistant Director of Environmental Health, and

WHEREAS, The Commissioner has indicated that she has not been able to locate qualified applicants for the position who reside in Albany County and are willing to accept the position, and

WHEREAS, The Commissioner is requesting a waiver of the County's residency requirement regarding the aforementioned position, and

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied there are no sufficiently qualified Albany County residents to fill the position and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given for a 12-month period in order to fill the position of Assistant Director of Environmental Health on the condition that such employee is required to 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 position of Assistant Director of Environmental Health is hereby approved in accordance with the requirements of Resolution No. 245-C for 1995 for a 12-month period in order to fill such position on the condition that said employee is required to 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 shall expire August 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. 258

ADOPTING THE ALBANY COUNTY CAPITAL PROGRAM FOR 2022-2026

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The Albany County Charter, Art. 6, Sec. 609(b) requires the Albany County Legislature to adopt the Capital Program each year, and

WHEREAS, The County Executive has prepared and submitted a five-year Capital Program for 2022-2026 to this Honorable Body which includes a summary of projects, a list of all capital improvements proposed to be undertaken during the next five fiscal years, cost estimates and recommended time schedules for each improvement and the proposed methods of financing the facilities to be constructed or acquired, and

WHEREAS, The Clerk of the Legislature published a summary of the Capital Program and public hearing notice in the official newspapers stating the times and locations where copies of the Capital Program have been available for inspection by the public, and

WHEREAS, This Honorable Body held said public hearing on July 27th, 2021, as published, now, therefore be it

RESOLVED, That the 2022-2026 Capital Program as set forth in the published summary is hereby adopted by this Honorable Body, and, be it further

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

RESOLUTION NO. 259

AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITY OF COHOES

Introduced: 8/9/21
By Audit and Finance Committee:

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

WHEREAS, This application has been investigated by the Director who recommends to this Honorable Body that the Tax Roll involved be corrected, now, therefore, be it

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

<u>APPLICANT</u>	<u>CITY OR TOWN</u> <u>DESCRIPTION OF REAL</u> <u>PROPERTY AS SHOWN ON</u> <u>TAX ROLL OR BILL</u>	<u>REASON FOR</u> <u>CORRECTION</u>
Albany County Land Bank	58 Vliet Street Tax Map No. 10.50-1-34 2021 Collection	Clerical Error

and, be it further

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

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

RESOLUTION NO. 260

AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE SHAKER PLACE REHABILITATION AND NURSING CENTER

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested a contract for accounting and consulting services related to Medicaid and Medicare programs for the Shaker Place Rehabilitation and Nursing Center, including cost reporting, variance reports and training of staff, and

WHEREAS, Pursuant to the County procurement policy, an RFP was issued soliciting proposals for accounting and consulting services at Shaker Place Rehabilitation and Nursing Center, and after two (2) proposals were received and reviewed, the Executive Director recommended awarding the contract to Horan, Martello and Morrone, CPAs LLP, who were the lowest responsible bidder, and

WHEREAS, The Executive Director has requested legislative approval of an agreement with Horan, Martello and Morrone, CPAs LLP, for an initial term of three (3) years, in a total amount of \$131,700, commencing November 1, 2021 and ending October 31, 2024, and

WHEREAS, The Executive Director has also requested inclusion of a legislative option to renew the agreement with Horan, Martello and Morrone, CPAs LLP, at the conclusion of the initial contract term for two additional one-year terms at a price to be determined at that time, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an initial agreement for a three year term, with Horan, Martello and Morrone, CPAs LLP, Hauppauge, New York 11788 for accounting and consulting services at the Shaker Place Rehabilitation and Nursing Center in an amount not to exceed \$131,700 commencing November 1, 2021 and ending October 31, 2024, and, be it further

RESOLVED, The contract shall, at the conclusion of the initial term, require legislative approval to execute up to two additional one-year renewal options with Horan, Martello and Morrone, CPAs LLP, at a price to be determined at that time, and, be it further

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

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

RESOLUTION NO. 261

AUTHORIZING AN AGREEMENT WITH RONCO SPECIALIZED SYSTEMS REGARDING A NURSE CALL INTEGRATION SYSTEM FOR SHAKER PLACE REHABILITATION AND NURSING CENTER

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested a contract for a Nurse Call Integration System for the Shaker Place Rehabilitation and Nursing Center, including handsets, batteries, belt clips, desktop chargers and power supplies, as well as all setup and software costs, and

WHEREAS, This equipment is considered sole source, as it is the only product that can integrate with the Ronco Resident Call Bell System currently in use at the Shaker Place Rehabilitation and Nursing Center, and

WHEREAS, The Executive Director has requested legislative approval of an agreement with Ronco for a five (5) year term, in a total amount of \$115,000, commencing August 1, 2021 and ending July 31, 2026, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an initial agreement for a three year term, with Ronco, Latham, New York 12110 for a Nurse Call Integration System for the Shaker Place Rehabilitation and Nursing Center in an amount not to exceed \$115,000, commencing August 1, 2021 and ending July 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. 262

AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: SECURITY GUARDS

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Department of Residential Health Care Facilities has requested authorization to amend the 2021 Department of Residential Health Care Facilities Budget by increasing a Security Guard line in the amount of \$31,643 and Overtime line in the amount of \$6,229, and removing two Security Guard PT lines, and

WHEREAS, The Executive Director has indicated that this change is necessary for security at the Shaker Place Rehabilitation and Nursing Center, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2021 Department of Residential Health Care Facilities Budget is amended as follows:

Decrease Appropriation Account NH6020.1 by \$37,872 by decreasing the following Line Items:

Decrease and Delete Line Item NH6020 1 4416 002 Security Guard PT by \$18,936

Decrease and Delete Line Item NH6020 1 4416 004 Security Guard PT by \$18,936

Increase Appropriation Account NH6020.1 by \$37,872 by increasing the following Line Items:

Increase Line Item NH6020 1 4415 308 Security Guard by \$31,643

Increase Line Item NH6020 1 9900 Overtime by \$6,229

and, be it further

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

RESOLUTION NO. 263

AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: ADMINISTRATIVE ADJUSTMENTS

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Department of Department of Residential Health Care Facilities has requested authorization to amend the 2021 Department of Residential Health Care Facilities Budget by increasing its Licensed Practical Nurse lines in the amount of \$6,000, increasing its Licensed Practical Nurse PT lines in the amount of \$2,400, increasing its Director of Dietary Services line in the amount of \$9,422, and increasing its Quality Improvement Coordinator line in the amount of \$7,650, and

WHEREAS, The Executive Director has indicated that this change is necessary to bring salaries at the Shaker Place Rehabilitation and Nursing Center commensurate with the industry, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2021 Department of Residential Health Care Facilities Budget is amended as indicated on the spreadsheet annexed hereto 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.

APPROPRIATIONS

ACCOUNT NO.				RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
NH6020	13132	327	640130	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	002	640132	Licensed Practical Nurse	6,000.00		\$ 50,150.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	003	640133	Licensed Practical Nurse	6,000.00		\$ 48,048.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	008	640137	Licensed Practical Nurse	6,000.00		\$ 49,100.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	009	640138	Licensed Practical Nurse	6,000.00		\$ 45,946.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	012	640141	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	015	640144	Licensed Practical Nurse	6,000.00		\$ 50,150.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	019	640147	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	021	640149	Licensed Practical Nurse	6,000.00		\$ 45,946.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	022	640150	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	024	640152	Licensed Practical Nurse	6,000.00		\$ 54,717.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	025	640153	Licensed Practical Nurse	6,000.00		\$ 49,100.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	027	640155	Licensed Practical Nurse	6,000.00		\$ 43,842.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	029	640157	Licensed Practical Nurse	6,000.00		\$ 51,049.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	030	640158	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	038	640165	Licensed Practical Nurse		37,098.00	\$ 1.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	041	640168	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	042	640169	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	053	640174	Licensed Practical Nurse	6,000.00		\$ 45,946.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	301	640175	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	305	640177	Licensed Practical Nurse	6,000.00		\$ 48,449.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	311	640180	Licensed Practical Nurse	6,000.00		\$ 51,203.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	315	640182	Licensed Practical Nurse	6,000.00		\$ 43,842.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	328	640185	Licensed Practical Nurse	6,000.00		\$ 50,150.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	330	640778	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13132	331	640779	Licensed Practical Nurse	6,000.00		\$ 43,099.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	004	640125	Licensed Practical Nurse PT		14,839.00	\$ 1.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	005	640127	Licensed Practical Nurse PT		14,839.00	\$ 1.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	007	640167	Licensed Practical Nurse PT		6,220.00	\$ 8,620.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	009	640178	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	006	640179	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	003	640181	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	010	640183	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	011	640184	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	008	640777	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	001	640780	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	13134	002	640781	Licensed Practical Nurse PT	2,400.00		\$ 17,240.00	Shaker Place Rehabilitation and Nursing Center
NH6020	11318	001	640011	Director of Dietary Services	9,422.00		\$ 75,000.00	Shaker Place Rehabilitation and Nursing Center
NH6020	12166	001	640214	Quality Improvement Coordinator	7,650.00		\$ 76,515.00	Shaker Place Rehabilitation and Nursing Center
NH6020	44039			Conferences, Training, Tuition		113,276.00	\$ 156,624.00	Shaker Place Rehabilitation and Nursing Center
TOTAL APPROPRIATIONS					186,272.00	186,272.00		

ESTIMATED REVENUES

ACCOUNT NO.				RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
TOTAL ESTIMATED REVENUES					0.00	0.00		
GRAND TOTAL					186,272.00	186,272.00		

RESOLUTION NO. 264

RESCINDING AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 439 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 8 DELAWARE AVENUE (TAX MAP NO. 76.65-1-54) IN THE CITY OF ALBANY

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 439 for 2020, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure to the Albany County Land Bank Corporation, including 8 Delaware Avenue (Tax Map No. 76.65-1-54) in the City of Albany, and

WHEREAS, Walls Temple A.M.E. Zion Church, an abutting property owner, has expressed an interest in acquiring this parcel for use supporting community services and allowing for additional parking, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, allows for the conveyance of properties to abutting property owners, now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution No. 439 for 2020 is hereby amended by rescinding the authorization to convey 8 Delaware Avenue (Tax Map No. 76.65-1-54) in the City of Albany, to the Albany County Land Bank, and, be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 8 Delaware Avenue (Tax Map No. 76.65-1-54) in the City of Albany, to the Walls Temple A.M.E. Zion Church, for the amount of \$300, and, be it further

RESOLVED, That the Walls Temple A.M.E. Zion Church shall be responsible for any and all closing costs, and all taxes, water and sewer and other charges 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. 265

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 4092 ALBANY STREET (TAX MAP NO. 16.4-6-35) IN THE TOWN OF COLONIE

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The County of Albany has withdrawn a property located at 4092 Albany Street (Tax Map No. 16.4-6-35) in the Town of Colonie from a filed in rem foreclosure proceeding, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, a sealed bid process may be used regarding the conveyance of withdrawn real property, and

WHEREAS, The Commissioner of the Department of Management and Budget has indicated that the County received one sealed bid for said parcel, and has recommended that the parcel be conveyed to the sole responsive bidder, Eric Opuana, for the amount of \$3,000, 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 4092 Albany Street (Tax Map No. 16.4-6-35) in the Town of Colonie to Eric Opuana, Albany, NY 12206 for the amount of \$3,000, and, be it further

RESOLVED, That Eric Opuana shall be responsible for all closing costs, as well as any and all real estate taxes, property taxes, school taxes, water, sewer, and municipal charges or fees not in the collection process of the Albany County Division of Finance at the date of the closing, 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.

RESOLUTION NO. 266

**PUBLIC HEARING REGARDING MULTIPLE COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATIONS**

Introduced: 8/9/21

By Audit and Finance Committee:

WHEREAS, The County Executive has proposed two applications for funding under the Community Development Block Grant Program (CDBG) regarding programs for Albany County, and

WHEREAS, A public hearing must be held before the Albany County Legislature on these proposals prior to the submission of the applications for CDBG funding, now, therefore, be it

RESOLVED, By the County Legislature of the County of Albany that a public hearing on the proposed Community Development Block Grant funding applications will be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York, at 7:15 p.m. on Tuesday, August 24, 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. 267

**AUTHORIZING AGREEMENTS REGARDING ALBANY COUNTY
INSURANCE COVERAGE**

Introduced: 8/9/21
By Law Committee:

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

WHEREAS, It has been recommended that the County enter into agreements with _____ for Excess Commercial, General, Automobile, Law Enforcement, Public Officials, and Employment Practices coverage; _____ for Excess insurance; Travelers for Property insurance; Greenwich for Boiler and Machinery coverage; _____ for Medical Liability coverage; and Chubb for Cyber Liability insurance for a total combined premium amount of \$_____, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements through Arthur J. Gallagher Risk Management Services, Inc. with _____ for Excess Commercial, General, Automobile, Law Enforcement, Public Officials, and Employment Practices coverage-at an annual premium not to exceed \$_____; _____ for Excess insurance at an annual premium not to exceed \$_____; Travelers for Property insurance at an annual premium not to exceed \$318,422 + \$1,070 Fire Fee; Greenwich for Boiler and Machinery coverage at an annual premium not to exceed \$32,365; _____ for Medical Liability insurance at an annual premium not to exceed \$_____; and Chubb for Cyber Liability insurance at an annual premium not to exceed \$52,374 for the term commencing August 15, 2021 and ending August 15, 2022, for a total combined premium amount of \$_____, 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. 268

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “H” FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK RELATING TO THE SAFE USE OF ELECTRIC SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

Introduced: 8/9/21

By Mr. Domalewicz:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “H” for 2021, “A Local Law of the County of Albany, New York Relating to the Safe Use of Electric Scooters and Bicycles with Electric Assist” will be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York, at 7:15 p.m. on Tuesday, September 28, 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. 269

APPOINTING FOUR MEMBERS TO THE ALBANY COUNTY COMMISSION ON REDISTRICTING

Introduced: 8/9/21

By Messrs. A. Joyce, Feeney, Clay, and Mauriello:

WHEREAS, The Albany County Charter requires the establishment of a Commission on Redistricting to advise the Legislature on whether and how the County Legislature should be redistricted when required, and

WHEREAS, The County Charter provides that such Commission shall contain nine (9) members, of which four initial appointments shall be made by the Majority Leader, Minority Leader, Chairperson of the Legislature, and the Chairperson of the Legislative Black Caucus, and

WHEREAS, The Majority Leader has recommended Thomas G. Clingan for appointment to the Commission on Redistricting, and

WHEREAS, The Minority Leader has recommended Mark McCumber for appointment to the Commission on Redistricting, and

WHEREAS, The Chairperson of the Legislature has recommended Sita Subbaram, PhD. for appointment to the Commission on Redistricting, and

WHEREAS, The Chairperson of the Legislative Black Caucus has recommended Joan A. Ramsey for appointment to the Commission on Redistricting, now, therefore be it,

RESOLVED, By the Albany County Legislature, that the Albany County Commission on Redistricting is hereby established, and that Thomas G. Clingan, of Cohoes, NY; Mark McCumber, of Colonie, NY; Sita Subbaram, PhD. of Albany, NY; and Joan A. Ramsey of Albany, NY, are hereby appointed to the Commission for a term commencing immediately and ending upon the successful conclusion of the Albany County redistricting process, and, be it further,

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

LOCAL LAW NO. “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, Tunny, Whalen, A. Joyce, Feeney, Plotsky, Ricard, Peter, Lekakis, McLean Lane, Miller

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.

Contract Provisions

(a) It shall be unlawful for a third-party food delivery service to 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 60 days after filing with the New York Secretary of State.

Referred to Law Committee – 2/8/21

Favorable Recommendation Law Committee – 7/28/21

LOCAL LAW NO. "G" FOR 2021

A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

Introduced: 6/14/21

By Ms. Plotsky, Messrs. Touchette, Smith, A. Joyce, Efekoro, R. Joyce, Ms. McLaughlin, Messrs. Peter, Ricard, Ward, Burgdorf, Drake, Ms. Lockart, Messrs. Mauriello, Perlee, Tunny, Mss. Whalen and Cunningham:

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

SECTION 1. Title

This Local Law shall be known as "A Local Law Adopting a Pilot Youth Deer Hunting Program."

SECTION 2. Purpose

Consistent with the provisions of Environmental Conservation Law section 11-0935, this Local Law is adopted to authorize the expansion of youth hunting and allow licensed hunters ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian, or mentor.

SECTION 3. Authority

This Local Law is adopted under the authority granted by:

1. Article IX of the New York State Constitution, § 2[c];
2. New York Municipal Home Rule Law, § 10; and
3. New York Environmental Conservation Law § 11-0935.

SECTION 4. Definitions

1. "Eligible area" means any county within the State of New York that has enacted a local law authorizing participation in a youth hunting pilot program, and has notified the New York State Department of Environmental Conservation of such participation.
2. "Hunting license holder" means a person who has successfully completed a hunter education/safety course, and currently holds a valid hunting license issued by the New York State Department of Environmental Conservation.
3. "Legal guardian" means a person legally responsible for a minor participating in the Pilot Youth Deer Hunting Program who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation and has at least three years of prior experience hunting deer as a hunting license holder.

4. "Mentor" means a person who (a) currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, (b) is twenty-one years of age or older, (c) has at least three years of prior experience hunting deer as a hunting license holder, and (d) has been designated in writing by a minor's parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation to serve as a mentor to said minor for purposes of the Pilot Youth Deer Hunting Program.
5. "Minor" means a youth twelve or thirteen years of age who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation to hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within an eligible area.
6. "Parent" means a person who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, has at least three years of prior experience hunting deer as a hunting license holder, and is the parent of the minor participating in the Pilot Youth Deer Hunting Program.
7. "Physical control" means that the physical proximity of a minor to a parent, legal guardian or mentor and is such that the parent, legal guardian or mentor is (a) reasonably able to issue verbal directions and instructions, (b) maintain constant visual contact, and (c) otherwise able to provide guidance and supervision to the minor.

SECTION 5. Opt-In Authorization

The youth hunting opportunities authorized by Environmental Conservation Law section 11-0935 shall be applicable within the boundaries of the County of Albany upon (a) the adoption of this Local Law by the County Legislature for the County of Albany, State of New York, and (b) notice provided to the New York State Department of Environmental Conservation of the adoption of this Local Law.

Albany County hereby elects to participate in a Pilot Youth Deer Hunting Program to allow minors ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian or mentor.

SECTION 6. Eligibility and Requirements.

1. A minor aged 12 or 13 may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within the County of Albany when accompanied by, and is under the physical control of, a parent, legal guardian or mentor as those terms are defined by Section 4 of this Local Law.
2. A minor participating in the Pilot Youth Deer Hunting Program in an eligible area must be in possession of a valid New York State hunting license and valid tags, as appropriate, while afield at all times. The accompanying parent, legal guardian or mentor must also be in possession of a valid New York State hunting license at all times when supervising a minor participating in the Pilot Youth Deer Hunting Program.
3. A minor and the accompanying parent, legal guardian or mentor must display either a minimum total of two hundred fifty square inches of solid fluorescent

orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

4. A minor aged 12 or 13 participating in the Pilot Youth Deer Hunting Program must remain at ground level at all times when hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm.
5. A minor participating in the Pilot Youth Deer Hunting Program must remain within the physical proximity of a parent, legal guardian or mentor which means they must be capable of receiving verbal directions and instructions, and be in constant visual contact with the supervising parent, legal guardian or mentor at all times.
6. A minor participating in the Pilot Youth Deer Hunting Program must abide by all other federal, state and local laws, rules and regulations applicable to hunting including, but not limited to, manner of take, bag limits, hunting hours, geographical or general implement restrictions, hunting seasons, tagging, transporting and reporting requirements.

SECTION 8. Filing

In accordance with ECL § 11-0935.2, a copy of this Local Law shall be filed with the New York State Department of Environmental Conservation. And in accordance with Municipal Home Rule § 27, a copy shall be filed with the New York State Department of State.

SECTION 9. Severability

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so determined to be unconstitutional or invalid.

SECTION 10. Repeal

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 11. Effective Date

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Referred to Law Committee – 6/14/21

Favorable Recommendation Law Committee – 7/28/21

LOCAL LAW NO. "H" FOR 2021

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK RELATING TO THE SAFE USE OF ELECTRIC SCOOTERS AND BICYCLES WITH ELECTRIC ASSIST

Introduced: 8/9/21

By Messrs. Domalewicz, Feeney, Bruschi, Commisso and Ricard:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Title

This local law shall be known as the "Albany County Electric Scooter and E-Bike Helmet Law."

Section 2. Legislative Intent

The Albany County Legislature hereby finds and determines that electric scooters and bicycles with electric assist contain motors which can rapidly increase the speed of such devices up to twenty miles an hour.

The Legislature further finds and determines that individuals operating electric scooters or riding on bicycles with electric assist are vulnerable to injury when riding at increased speeds.

The Legislature further finds and determines that, to protect the safety of operators and passengers, all individuals operating electric scooters or riding on bicycles with electric assist should be required to wear protective helmets.

Section 3. Definitions

As used in this local law, the following terms shall have the meanings indicated:

- (a) "Electric Scooter" shall have the same meaning as set forth in Section 114-E of the New York Vehicle and Traffic Law.
- (b) "Bicycle with Electric Assist" shall have the same meaning as set forth in Section 102-C of the New York Vehicle and Traffic Law.

Section 4. Helmet Requirements for Certain Electric Assisted Devices

- (a) Any individual operating an electric scooter shall wear a helmet.

- (b) Any individual operating or riding as a passenger on a bicycle with electric assist shall wear a helmet.
- (c) Any helmet worn to comply with this local law shall conform to the requirements established by the Commissioner of the New York State Department of Motor Vehicles.
- (d) For purposes of this section, wearing a helmet means having a helmet of good fit fastened securely upon the head with the helmet straps.

Section 5. Penalties

- (a) Any person who violates Section 4 of this local law shall be guilty of a violation and subject to a fine not to exceed one hundred (100) dollars.
- (b) The court shall wave any fine for which a person who violates the provisions of Section 4 of this local law would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a helmet which meets the requirements established by the Commissioner of the New York State Department of Motor Vehicles prior to the time of the offense. Such waiver of a fine shall not apply to a second or subsequent violation of Section 4 of this local law.
- (c) The court may waive any fine for which a person who violates the provisions of Section 4 would be liable if the court finds that, due to reasons of economic hardship, such person was unable to purchase a helmet or, due to such economic hardship, such person was unable to obtain a helmet from the statewide in-line skate and bicycle helmet distribution program, as established in New York Public Health Law Section 206, or a local distribution program. Such waiver of a fine shall not apply to a second or subsequent violation of Section 4 of this local law.

Section 6. Contributory Negligence and Assumption of Risk

The failure of any person to comply with the provisions of Section 4 of this local law shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

Section 7. Applicability

This law shall apply to all actions occurring on or after the effective date of this local law.

Section 8. Reverse Preemption

This local law shall be null and void on the day that federal or statewide legislation goes into effect incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Albany. The County Legislature may determine via resolution whether or not identical or substantially similar federal or statewide legislation, or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section 9. Severability

If any clause, sentence, paragraph, section, subdivision, or any other part of this local law or its application shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 10. Effective Date

This local law shall take effect immediately following its filing with the Office of the Secretary of State.