

County of Albany

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



Meeting Agenda

Tuesday, October 26, 2021

6:15 PM

Held Remotely

Conservation, Sustainability and Green Initiatives **Committee**

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES

CURRENT BUSINESS:

2. RESOLUTION NO. 389: AUTHORIZING AND DIRECTING THE WATER PURIFICATION DISTRICT TO REQUIRE TESTING FOR P E R F L U O R O O C T A N O I C A C I D A N D PERFLUOROOCTANESULFONIC ACID OF PRETREATED AND LEACHATE WASTE STREAMS
3. AUTHORIZING THE NOTICE OF PUBLICATION REGARDING THE THIRTY-DAY PERIOD FOR PUBLIC REVIEW AND COMMENT CONCERNING ALBANY COUNTY AGRICULTURAL DISTRICT NO. 1

County of Albany

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



Meeting Minutes

Tuesday, September 28, 2021

6:15 PM

Held Remotely

Conservation, Sustainability and Green Initiatives
Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

CURRENT BUSINESS:

2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "J" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LONG-TERM POWER PURCHASE AGREEMENT FOR PROPERTY OWNED AND MAINTAINED BY ALBANY COUNTY

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

3. LOCAL LAW NO. "J" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LONG-TERM POWER PURCHASE AGREEMENT FOR PROPERTY OWNED AND MAINTAINED BY ALBANY COUNTY

A motion was made to move this Local Law forward with a positive recommendation. The motion carried by a unanimous vote.

AUTHORIZING THE ACCEPTANCE OF TWO STORYBOARDS ALONG THE ALBANY COUNTY HELDERBERG-HUDSON RAIL TRAIL

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

4. AUTHORIZING THE ACCEPTANCE OF A MEMORIAL FLAG POLE AT THE ANN LEE POND NATURE AND HISTORIC PRESERVE

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

RESOLUTION NO. 389

AUTHORIZING AND DIRECTING THE WATER PURIFICATION DISTRICT TO REQUIRE TESTING FOR PERFLUOROOCCTANOIC ACID AND PERFLUOROOCCTANESULFONIC ACID OF PRETREATED AND LEACHATE WASTE STREAMS

Introduced: 10/12/21

By Messrs. Fein, A. Joyce and Miller:

WHEREAS, In 2008 this honorable body adopted rules and regulations for the Water Purification District governing the pretreatment and disposal of sewage and waste, and

WHEREAS, The Water Purification District currently permits thirteen (13) facilities to send their waste to the district's treatment plants, and

WHEREAS, The Water Purification District also receives waste in the form of leachate from various facilities, and

WHEREAS, The County of Albany is obligated to promote and protect the public health and welfare of its residents, and

WHEREAS, The introduction of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) into the waterways of the county should be limited if at all possible, and

WHEREAS, In order to determine whether the amount of PFOA and PFOS being discharged to the wastewater treatment plants operated by the Water Purification District is deemed unacceptable in the opinion of the Executive Director, the district first must determine the sources of the PFOA and PFOS, and

WHEREAS, In accordance with Local Law 3 for 2008, the Water Purification District requires that permitted industrial users to discharge waste to the district's plants must sample and/or test their waste for certain constituents, and

WHEREAS, This list of constituents may be extended to include PFOA and PFOS chemicals, and

WHEREAS, The same requirements can be put forward for any contract the district maintains with facilities that transfer leachate waste to the district's plants, now, therefore, be it

RESOLVED, That the Water Purification District is hereby authorized in accordance with Code of Federal Regulations (CFR 403) to require sampling and/or testing of wastewater for the presence of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) for all facilities permitted under Local Law 3 for 2008 and all facilities that have indirect discharges to the Districts' plants, and, be it further

RESOLVED, That the Water Purification District is hereby authorized to require sampling and/or testing of wastewater for the presence of perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) for all facilities that introduce leachate waste to the district's plants, and, be it further

RESOLVED, That the Executive Director of the Water Purification District is hereby authorized to establish rules in accordance with CFR 403 regarding the types of testing required of these facilities as well as the frequency of such testing, and, be it further

RESOLVED, The any rules promulgated by the Executive Director with relationship to the types of testing and frequency of testing shall be provided for in the permits and or contracts the district maintains with the relevant facilities, and, be it further

RESOLVED, That any costs associated with the sampling and/or testing of the wastewater by these facilities shall be borne entirely by the facilities required to sample and/or test under the authority granted by this resolution, and, be it further

RESOLVED, That the results of any sampling and/or testing authorized under this resolution shall be provided to the Clerk of the Albany County Legislature so that it may be distributed to the membership, and, be it further

RESOLVED, That this authorization shall go into effect immediately, and, be it further

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

DANIEL P. MCCOY
COUNTY EXECUTIVE



COUNTY OF ALBANY
DEPARTMENT OF ECONOMIC DEVELOPMENT CONSERVATION AND PLANNING
112 STATE STREET – ROOM 1310
ALBANY, NEW YORK 12207-2021
(518) 447-5670 - FAX (518) 447-5662

September 28, 2021

Hon. Andrew Joyce
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

Please find enclosed a Request for Legislative Action to be considered at the October Committee meeting.

In accordance with NYS Agriculture and Markets Law, each Agricultural District must be reviewed every eight (8) years. The County has received notice from NYS Department of Agriculture and Markets to commence the review for Agricultural District #1, which includes predominantly agricultural lands in the Towns of Berne and Knox.

To begin this process, the County Legislature must provide public notice announcing a thirty (30) day public comment period to begin December 1, 2021. During this period, landowners can apply to have their land included in or removed from the District.

If you have any questions please feel free to contact me at 447-5670.

Sincerely,

Laura DeGaetano
Sr. Natural Resource Planner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

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

Legislation Text

File #: TMP-2785, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Publication of legal notice pertaining to initiating the 30-day open period for Agricultural District #1 8-year review

Date: September 28, 2021

Submitted By: Laura DeGaetano

Department: Economic Development, Conservation and Planning

Title: Sr. Natural Resource Planner

Phone: 518-447-5670

Department Rep.

Attending Meeting: Laura DeGaetano

Purpose of Request:

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Publication of legal notice

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

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

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes No
If Mandated Cite Authority: NYS Agriculture and Markets Law 25AA- 303-A

Is there a Fiscal Impact: Yes No
Anticipated in Current Budget: Yes No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.
Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

If yes, explain: Yes No
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 300
Date of Adoption: July 9, 2018

Justification: (state briefly why legislative action is requested)

As required by law, all Agricultural Districts must be reviewed every eight (8) years. The County has received notice from NYS Department of Agriculture and Markets to commence the 300-day review of Agricultural District #1. The District was first formed in 1974 and includes predominantly agricultural lands in the Towns of Berne and Knox. To begin this process, the County Legislature must provide public notice consistent with 303-a section 2(a) announcing a thirty (30) day public comment period to begin December 1, 2021. During this period, landowners can apply to have their land included in or removed from the District.

RESOLUTION NO. 300

AUTHORIZING THE NOTICE OF PUBLICATION REGARDING THE THIRTY-DAY PERIOD FOR PUBLIC REVIEW AND COMMENT CONCERNING ALBANY COUNTY AGRICULTURAL DISTRICT NO. 3

Introduced: 7/9/18

By Conservation and Improvement Committee:

WHEREAS, Section 303-a of the New York State Agriculture and Markets Law requires a review of an agricultural district every eight years to permit landowners the opportunity to apply to have their land included or removed from the district, and

WHEREAS, Albany County Agricultural District No. 3 covering viable agricultural land in the Towns of Bethlehem, Coeymans, Colonie, Guilderland and New Scotland was established on February 13, 1977, and

WHEREAS, To begin the review process for Agricultural District No. 3, the Albany County Agriculture and Farmland Protection Board has requested the Albany County Legislature to authorize publication of a legal notice in a newspaper with circulation within the district announcing the 30-day public comment period, and

WHEREAS, The Altamont Enterprise is a newspaper with a general circulation within this district, now, therefore be it

RESOLVED, That the Clerk of the Albany County Legislature is hereby authorized to have published in the Altamont Enterprise a public notice in conformity with the requirements of Section 303-a of the Agriculture and Markets Law of the State of New York, and, be it further

RESOLVED, That the Albany County Legislature hereby authorizes posting of said notice in five (5) conspicuous places within the affected area as required by law, and, be it further

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

LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE
<p>LEGAL NOTICE ALBANY COUNTY LEGISLATURE</p> <p>NOTICE OF A 30 DAY PERIOD FOR PUBLIC REVIEW AND COMMENT CONCERNING ALBANY COUNTY AGRICULTURAL DISTRICT NO. 3 PURSUANT TO THE EIGHT YEAR REVIEW OF AN AGRICULTURAL DISTRICT</p> <p>PLEASE TAKE NOTICE, that under Section 303-a of the Agriculture and Markets Law, the County is required to review an agricultural district eight years after its creation, every eight years thereafter and is now beginning the process of reviewing Agricultural District No. 3.</p> <p>PLEASE TAKE FURTHER NOTICE, that the map of Agricultural District No. 3 will be on file and open to public inspection at the Office of the Albany County Clerk located in Room 128 of the County Court House, Albany, and the Office of Cornell Cooperative Extension of Albany County on Martin Road, Voorheesville.</p> <p>PLEASE TAKE FURTHER NOTICE, that Agricultural District No. 3 is comprised of 27,740 acres being located in the Towns of Bethlehem, Coeymans, Colonie, Guilderland and New Scotland.</p> <p>PLEASE TAKE FURTHER NOTICE, that any landowner wishing to be added to, or removed from, Agricultural District No. 3 should contact the County Cooperative Extension Agriculture Agent regarding their proposed modification to the District.</p> <p>PLEASE TAKE FURTHER NOTICE, that any proposed modification must be filed with the Albany County Clerk and the Clerk of the Albany County Legislature within thirty (30) days after the date of publication of this Notice.</p> <p>PLEASE TAKE FURTHER NOTICE, that at the termination of the hereinabove specified thirty (30) day period, the district and proposed modification(s) will be submitted to the Albany County Department of Economic Development, Conservation & Planning and the Albany County Agricultural and Farmland Protection Board and that thereafter a Public Hearing will be held concerning Agricultural District No. 3, proposed modification(s), and the recommendation(s) of the County Department of Economic Development, Conservation & Planning and the County Agricultural and Farmland Protection Board.</p> <p>DATED: July 9, 2018 PAUL T. DEVANE, CLERK ALBANY COUNTY LEGISLATURE</p>					