

# **County of Albany**

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



## **Meeting Agenda**

**Thursday, July 28, 2022**

**5:30 PM**

**Held Remotely**

**Public Safety Committee**

**PREVIOUS BUSINESS:**

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES
3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2022 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS
4. LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES
5. LOCAL LAW NO. "C" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS
6. LOCAL LAW NO. "F" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING ALL WEAPON AND/OR FIREARM DEALERS TO POST DISCLOSURES REGARDING SAFETY RISKS FROM FIREARMS

**CURRENT BUSINESS:**

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

# County of Albany

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



## Meeting Minutes

Thursday, June 30, 2022

5:30 PM

Held Remotely

**Public Safety Committee**

**PREVIOUS BUSINESS:**

**Present:** William M. Clay, Robert J. Beston, Zach Collins, Frank J. Commisso, Gary W. Domalewicz, Beroro T. Efekoro, Gilbert F. Ethier, Patrice Lockart and Sean E. Ward

**1. APPROVING PREVIOUS MEETING MINUTES**

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

**2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES**

This proposal was tabled at the request of the Sponsor.

**3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2022 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS**

This proposal was tabled at the request of the Sponsor.

**4. LOCAL LAW NO. "B" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES**

This Local Law was tabled at the request of the Sponsor.

**5. LOCAL LAW NO. "C" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS**

This Local Law was tabled at the request of the Sponsor.

**CURRENT BUSINESS:****6. PUBLIC HEARING ON LOCAL LAW NO. "F" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING ALL WEAPON AND/OR FIREARM DEALERS TO POST DISCLOSURES REGARDING SAFETY RISKS FROM FIREARMS**

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

**7. AMENDING THE 2022 ALBANY COUNTY BUDGET: TO ESTABLISH A COUNTY-WIDE PUBLIC SAFETY EXPLORERS PROGRAM**

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

**8. LOCAL LAW NO. "F" FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING ALL WEAPON AND/OR FIREARM DEALERS TO POST DISCLOSURES REGARDING SAFETY RISKS FROM FIREARMS**

This Local Law was tabled at the request of the Sponsor.

**9. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE STATE HOMELAND SECURITY AND LAW ENFORCEMENT TERRORISM PREVENTION PROGRAMS**

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

**10. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE HAZARD MITIGATION GRANT PROGRAM**

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

**11. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS REGARDING THE COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM**

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

## **LOCAL LAW “B” FOR 2022**

### **A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES**

Introduced:

By Ms. McLean Lane:

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

#### **SECTION 1. Legislative Intent**

The purpose of this Local Law is to exempt Albany County from the payment of wireless communication surcharges on County owned or leased wireless telephones.

#### **SECTION 2. Amendment**

Section 2, of Local Law No. 6 for 2017, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REPEALING THE WIRELESS COMMUNICATION SURCHARGE AUTHORIZED BY ARTICLE 6 OF THE COUNTY LAW OF THE STATE OF NEW YORK SET FORTH IN ALBANY COUNTY LOCAL LAW 9 FOR 2009 AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-g,” is amended by the addition of a new subdivision (d) as follows:

(d) Limitations. No wireless communication surcharge set forth in this Local Law shall be imposed upon any wireless telephone owned or leased by Albany County.

#### **SECTION 3. Severability**

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

#### **SECTION 4. Effective Date**

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

**RESOLUTION NO. 107**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “B” FOR 2022: A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES**

Introduced: 3/14/22

By Ms. McLean Lane:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “B” for 2022, “A Local Law of the County of Albany Amending Local Law No. 6 for 2017, to Exempt the County from Wireless Communication Surcharges” to be held remotely by the Albany County Legislature at 7:15 p.m. on Tuesday, April 26, 2022, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Law and Public Safety Committees – 3/14/22*

## LOCAL LAW NO. "C" FOR 2022

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS

Introduced: 04/11/22

By Messrs. Cleary and A. Joyce:

BE IT ENACTED by the Albany County Legislature as follows:

#### **Section 1. Title**

This local law shall be known as "Regulating the Sale of Used Catalytic Converters."

#### **Section 2. Legislative Intent**

The Legislature hereby finds and determines that there has been an increase in thefts of used catalytic converters from vehicles in the County for the purpose of reselling the converters as scrap metal.

The Legislature further finds and determines that catalytic converter theft is a crime that is affecting an increasing number of families in the County. Accordingly, we must enact strategies and penalties to combat the problem.

The Legislature further finds and determines that requiring scrap metal recyclers doing business in Albany County to delay payment to sellers of used catalytic converters for at least fourteen (14) days after receipt of such devices will allow law enforcement additional time to investigate the theft of used catalytic converters and further discourage criminal conduct.

The Legislature also finds and determines that requiring scrap metal recyclers to maintain records of the purchase of used catalytic converters will assist law enforcement in the investigation of thefts of such devices.

#### **Section 3. Purpose**

The purpose of this Local Law to discourage the theft of catalytic converters from vehicles by requiring scrap metal recyclers doing business in Albany County to delay payments to sellers of used catalytic converters for at least fourteen (14) days after receipt and requiring scrap metal recyclers to maintain records of the purchase of such devices for three (3) years in order to aid law enforcement in the investigation of the theft of such devices.

#### **Section 4. Definitions**



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

"Catalytic Converter" means a catalytic converter or other equipment or feature constituting an operational element of a motor vehicle's air pollution control system or mechanism required by federal or state law or by any rules or regulations promulgated pursuant thereto, as amended from time to time.

"Repair Shop" means a business enterprise that repairs vehicles and is certified by the New York State Department of Motor Vehicles,

"Scrap Metal Recycler" means a vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle collector or scrap processor doing business in Albany County; but shall not include a dealer registered pursuant to section four hundred fifteen of the New York Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title, registration or other ownership document has been issued for the vehicle from which the Used Catalytic Converter was removed, or a Repair Shop.

"Used Catalytic Converter" means a Catalytic Converter that was previously installed in a vehicle and which has been removed from such vehicle in whole or in part.

### **Section 5. Prohibition.**

No Scrap Metal Recycler shall purchase or take possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter from any person or entity other than a dealer registered pursuant to section four hundred fifteen of the Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title or other ownership document has been issued for the vehicle from which the catalytic converter was removed, a Repair Shop, or a person registered or certified or issued an identification number for the vehicle under the Vehicle and Traffic Law.

### **Section 6. Maintenance of Records by Scrap Metal Recycler.**

Each Scrap Metal Recycler who purchases or takes possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter shall record the purchase of the Used Catalytic Converter documenting the date of purchase, the name of seller, the seller's address or, in the case that the seller is an individual, the seller's residence address by street, number, city, village or town, the seller's driver's license number or information from a government issued photographic identification card, if any, or by such description as will reasonably locate the seller, or, if the seller is a Repair Shop, the Repair Shop's New York State Department of Motor Vehicles certification number. Such record shall be preserved by the Scrap Metal Recycler for

a period of three years from the date of receipt of the Used Catalytic Converter. Such records shall be available for inspection by any law enforcement authority with jurisdiction over the Scrap Metal Recycler.

Each Scrap Metal Recycler shall cause the record of purchase of the Used Catalytic Converter to be signed by the seller or his or her agent. It shall be unlawful for any seller or agent to refuse to furnish such information or to furnish incorrect or incomplete information. The Scrap Metal Recycler shall make and retain a copy of the government issued photographic identification card used to verify the identity of the person from whom the Used Catalytic Converter was purchased or obtained and shall retain the copy in a separate book, register or electronic archive for three (3) years from the date of purchase. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

### **Section 7. Payments.**

Payments by any Scrap Metal Recycler to a business, agency or private citizen who turns in a catalytic converter for scrap will be issued through check, with a copy of the check being held by the Scrap Metal Recycler for three years from the date of disbursement. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

### **Section 8. Violations**

(A) Any person that violates this Local Law shall:

- (1) be guilty of a class A misdemeanor, and
- (2) upon conviction thereof, shall be punished by a fine not to exceed \$300 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense.

(B) This Local Law shall be enforced by any local law enforcement agency having jurisdiction over the Scrap Metal Recycler located within the County of Albany.

### **Section 9. Severability.**

If any clause, sentence, paragraph, section or chapter of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or chapter thereof directly involved in the proceeding in which such adjudication shall have been rendered. This local law shall not supersede any applicable state or federal laws or regulations with regard to the subject matters set forth herein.

### **Section 10. Effective Date and Applicability**

This local law shall be effective ninety (90) days subsequent to filing in the Office of the Secretary of State and shall apply to all transactions occurring on or after the effective date of this local law.

*Referred to Law and Public Safety Committees – 4/11/22*

**RESOLUTION NO. 138**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "C" FOR 2022 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS**

Introduced: 4/11/22

By Mr. Cleary:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "C" for 2022, "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS" to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, May 24, 2022, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Law and Public Safety Committees – 4/11/22*

## LOCAL LAW “B” FOR 2022

### A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 6 FOR 2017, TO EXEMPT THE COUNTY FROM WIRELESS COMMUNICATION SURCHARGES

Introduced: 3/14/22

By Ms. McLean Lane:

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

#### **SECTION 1. Legislative Intent**

The purpose of this Local Law is to exempt Albany County from the payment of wireless communication surcharges on County owned or leased wireless telephones.

#### **SECTION 2. Amendment**

Section 2, of Local Law No. 6 for 2017, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REPEALING THE WIRELESS COMMUNICATION SURCHARGE AUTHORIZED BY ARTICLE 6 OF THE COUNTY LAW OF THE STATE OF NEW YORK SET FORTH IN ALBANY COUNTY LOCAL LAW 9 FOR 2009 AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-g,” is amended by the addition of a new subdivision (d) as follows:

(d) Limitations. No wireless communication surcharge set forth in this Local Law shall be imposed upon any wireless telephone owned or leased by Albany County.

#### **SECTION 3. Severability**

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

#### **SECTION 4. Effective Date**

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

*Referred to Law and Public Safety Committees – 3/14/22*

## LOCAL LAW NO. "C" FOR 2022

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING THE SALE OF USED CATALYTIC CONVERTERS

Introduced: 04/11/22

By Messrs. Cleary and A. Joyce:

BE IT ENACTED by the Albany County Legislature as follows:

#### **Section 1. Title**

This local law shall be known as "Regulating the Sale of Used Catalytic Converters."

#### **Section 2. Legislative Intent**

The Legislature hereby finds and determines that there has been an increase in thefts of used catalytic converters from vehicles in the County for the purpose of reselling the converters as scrap metal.

The Legislature further finds and determines that catalytic converter theft is a crime that is affecting an increasing number of families in the County. Accordingly, we must enact strategies and penalties to combat the problem.

The Legislature further finds and determines that requiring scrap metal recyclers doing business in Albany County to delay payment to sellers of used catalytic converters for at least fourteen (14) days after receipt of such devices will allow law enforcement additional time to investigate the theft of used catalytic converters and further discourage criminal conduct.

The Legislature also finds and determines that requiring scrap metal recyclers to maintain records of the purchase of used catalytic converters will assist law enforcement in the investigation of thefts of such devices.

#### **Section 3. Purpose**

The purpose of this Local Law to discourage the theft of catalytic converters from vehicles by requiring scrap metal recyclers doing business in Albany County to delay payments to sellers of used catalytic converters for at least fourteen (14) days after receipt and requiring scrap metal recyclers to maintain records of the purchase of such devices for three (3) years in order to aid law enforcement in the investigation of the theft of such devices.

#### **Section 4. Definitions**

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

"Catalytic Converter" means a catalytic converter or other equipment or feature constituting an operational element of a motor vehicle's air pollution control system or mechanism required by federal or state law or by any rules or regulations promulgated pursuant thereto, as amended from time to time.

"Repair Shop" means a business enterprise that repairs vehicles and is certified by the New York State Department of Motor Vehicles,

"Scrap Metal Recycler" means a vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle collector or scrap processor doing business in Albany County; but shall not include a dealer registered pursuant to section four hundred fifteen of the New York Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title, registration or other ownership document has been issued for the vehicle from which the Used Catalytic Converter was removed, or a Repair Shop.

"Used Catalytic Converter" means a Catalytic Converter that was previously installed in a vehicle and which has been removed from such vehicle in whole or in part.

### **Section 5. Prohibition.**

No Scrap Metal Recycler shall purchase or take possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter from any person or entity other than a dealer registered pursuant to section four hundred fifteen of the Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title or other ownership document has been issued for the vehicle from which the catalytic converter was removed, a Repair Shop, or a person registered or certified or issued an identification number for the vehicle under the Vehicle and Traffic Law.

### **Section 6. Maintenance of Records by Scrap Metal Recycler.**

Each Scrap Metal Recycler who purchases or takes possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter shall record the purchase of the Used Catalytic Converter documenting the date of purchase, the name of seller, the seller's address or, in the case that the seller is an individual, the seller's residence address by street, number, city, village or town, the seller's driver's license number or information from a government issued photographic identification card, if any, or by such description as will reasonably locate the seller, or, if the seller is a Repair Shop, the Repair Shop's New York State Department of Motor Vehicles certification number. Such record shall be preserved by the Scrap Metal Recycler for



a period of three years from the date of receipt of the Used Catalytic Converter. Such records shall be available for inspection by any law enforcement authority with jurisdiction over the Scrap Metal Recycler.

Each Scrap Metal Recycler shall cause the record of purchase of the Used Catalytic Converter to be signed by the seller or his or her agent. It shall be unlawful for any seller or agent to refuse to furnish such information or to furnish incorrect or incomplete information. The Scrap Metal Recycler shall make and retain a copy of the government issued photographic identification card used to verify the identity of the person from whom the Used Catalytic Converter was purchased or obtained and shall retain the copy in a separate book, register or electronic archive for three (3) years from the date of purchase. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

### **Section 7. Payments.**

Payments by any Scrap Metal Recycler to a business, agency or private citizen who turns in a catalytic converter for scrap will be issued through check, with a copy of the check being held by the Scrap Metal Recycler for three years from the date of disbursement. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

### **Section 8. Violations**

(A) Any person that violates this Local Law shall:

- (1) be guilty of a class A misdemeanor, and
- (2) upon conviction thereof, shall be punished by a fine not to exceed \$300 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense.

(B) This Local Law shall be enforced by any local law enforcement agency having jurisdiction over the Scrap Metal Recycler located within the County of Albany.

### **Section 9. Severability.**

If any clause, sentence, paragraph, section or chapter of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or chapter thereof directly involved in the proceeding in which such adjudication shall have been rendered. This local law shall not supersede any applicable state or federal laws or regulations with regard to the subject matters set forth herein.

### **Section 10. Effective Date and Applicability**

This local law shall be effective ninety (90) days subsequent to filing in the Office of the Secretary of State and shall apply to all transactions occurring on or after the effective date of this local law.

*Referred to Law and Public Safety Committees – 4/11/22*

**LOCAL LAW “\_\_\_” FOR 2022**

**A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING ALL WEAPON AND/OR FIREARM DEALERS TO POST DISCLOSURES REGARDING SAFETY RISKS FROM FIREARMS**

Introduced: 6/13/22

By Messrs. Reidy and Feeney:

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

**SECTION 1. Title.**

This Local Law shall be known as the “Albany County Commitment to Ensuring a Safe Society (ACCESS) Law.”

**SECTION 2. Legislative Intent.**

The purpose of this Local Law is to provide for and promote the health, safety and welfare of the general public by specifically informing buyers and potential buyers of weapons or firearms in Albany County of the dangers of owning a weapon or firearm.

This Legislature determines that gun violence is a uniquely American problem, which continues to worsen. The United States accounts for just 4% of the world’s population, but 35% of global firearm suicides and 9% of global firearm homicides. America has the weakest firearm laws and the most firearms — 393 million, more than this country’s population — of any comparable nation. Americans are 25 times more likely to be killed in a firearm homicide than people in other high-income countries.

Within the last ten years, the firearm mortality rate has risen nearly 18%, with an average of 39,000 Americans dying from firearm violence each year from 2015 to 2019. Over 45,000 Americans died from firearm violence in 2020 alone. The Centers for Disease Control and Prevention reports that an average of 483 deaths per year are from unintentional shootings. The average number of non-fatal shooting injuries is 76,127 each year.

Studies have shown that, when a firearm is easily accessible, the risk of homicide, suicide and unintentional shootings rises dramatically. Indeed, access to a firearm triples the risk of suicide. More than 6,000 veterans die by suicide each year, with more than two thirds of those deaths involving firearms. Domestic violence victims are five times more likely to be killed when their abuser has access to a firearm. Firearms are the leading cause of death for children under the age of 18.

Moreover, the database from the Centers for Disease Control and Prevention demonstrates that firearm homicides and assaults disproportionately impact underserved communities of color. Black men make up 52% of all firearm homicide victims in the United States, despite comprising less than 6% of the population.

This Legislature finds that the existence of a weapon or firearm in a home can lead to accidental discharge causing the unintended death of a child or other household members, preventable suicide, and death during a domestic dispute. Requiring weapon and firearm dealers to post warning notices delineating the risks of weapons or firearms ownership will provide important information to customers who can then make safer buying choices.

Albany County is dedicated to protecting its residents. Accordingly, this law is intended to require all weapon or firearms dealers within Albany County to post and distribute conspicuous notices containing disclosures of the safety risks of weapons and firearms.

### **SECTION 3. Definitions.**

a. Dealer. Any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of including but not limited to: any rifle, shotgun, firearm, machine gun or assault weapon including a semiautomatic rifle, shotgun, or firearm, as those terms are defined in Section 265.00 of the New York State Penal Law, except that this definition shall not include any municipal corporation or any other local, state, or federal government agency;

b. Firearm. As stated in New York State Penal Law Section 265, (a) Any pistol or revolver; or (b) a shotgun having one or more barrels less than eighteen inches in length; or (c) a rifle having one or more barrels less than sixteen inches in length; or (d) any weapon made from a shotgun or rifle whether by alteration, modification, or otherwise if such weapon as altered, modified, or otherwise has an overall length of less than twenty-six inches; [or] (e) an assault weapon, or any other weapon that is not otherwise defined in this section containing any component that provides housing or a structure designed to hold or integrate any fire control component that is designed to or may readily be converted to expel a projectile by action of explosive. The term “Firearm” shall not include an antique and inoperable firearm;

c. Weapon. Any rifle, shotgun, firearm, machine gun or assault weapon including a semiautomatic rifle, shotgun, firearm, as those terms are defined in Section 265.00 of the New York State Penal Law;

d. Site. The facility where any sale and/or transfer of weapons or firearms is conducted.

**SECTION 4. Disclosure Notice.**

a. Every Dealer located in Albany County engaged in the retail business of selling weapons or firearms shall not sell, deliver, transfer or otherwise dispose of any weapon or firearm to any person unless a notice is posted in the Site where such weapons or firearms are displayed or delivered to the purchaser, at the entrance to the Site and in at least one additional area where sales occur, conspicuously stating, in no smaller than 26-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

**WARNING**  
**ACCESS TO [THE PRESENCE OF] A WEAPON OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, [HOMICIDE,] DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.**  
**IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE MOBILE CRISIS TEAM AT (518) 549-6500 or THE NATIONAL SUICIDE HOTLINE AT (800) 273-8255.**

b. Every Dealer located in Albany County engaged in the retail business of selling weapons or firearms shall not sell, deliver, transfer or otherwise dispose of any weapon or firearm to any person unless it distributes a notice to the purchaser at the time of each individual sale of a weapon or firearm, conspicuously stating, in no smaller than 26-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

**WARNING**  
**ACCESS TO [THE PRESENCE OF] A WEAPON OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, [HOMICIDE,] DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.**  
**IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE MOBILE CRISIS TEAM AT (518) 549-6500 or THE NATIONAL SUICIDE HOTLINE AT (800) 273-8255.**

c. Upon the issuance of or amendment to a firearm or weapon license and/or permit, the County Clerk shall provide the licensee/permittee a written copy of a warning notice conspicuously stating in no smaller than 26-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

**WARNING**

**ACCESS TO [THE PRESENCE OF] A WEAPON OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, [HOMICIDE,] DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.**

**IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE MOBILE CRISIS TEAM AT (518) 549-6500 or THE NATIONAL SUICIDE HOTLINE AT (800) 273-8255.**

d. Albany County and its agencies, officers, and/or employees shall not be liable to any party by reason of any injury or damage resulting from the failure of any Dealer to comply with this Chapter or in consequence of any act or omission in connection with the implementation or enforcement of this Chapter.

**SECTION 5. Violations and Enforcement.**

A. Any infraction of this Chapter, [or any rule promulgated thereunder,] shall be a violation punishable by imprisonment of not more than fifteen days or by a fine of not more than one thousand dollars (\$1,000), or both. Each day that a violation continues shall be deemed a separate offense.

B. The provisions of this Chapter shall be enforced within each municipality by the applicable local police force, including town, city and village police departments and the Albany County Sheriff's Office, which officers are authorized to issue appearance tickets for any violation of this Chapter. Appearance tickets shall be served personally.

**SECTION 6. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but

shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **SECTION 7. Effective Date**

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



# ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (518) 487-5400  
[WWW.ALBANYCOUNTYSHERIFF.COM](http://WWW.ALBANYCOUNTYSHERIFF.COM)



**MICHAEL S. MONTELEONE**  
EXECUTIVE UNDERSHERIFF

**CRAIG D. APPLE, SR.**  
SHERIFF

**WILLIAM M. RICE**  
UNDERSHERIFF

**SHAWN P. NOONAN**  
CHIEF DEPUTY

**LEON A. BORMANN**  
CHIEF DEPUTY

July 5, 2022

Honorable Andrew Joyce  
Legislative Clerk's Office  
112 State Street, Room 710  
Albany, New York 12207

Dear Mr. Joyce:

The attached correspondence is forwarded for presentation to the Albany County Legislature.

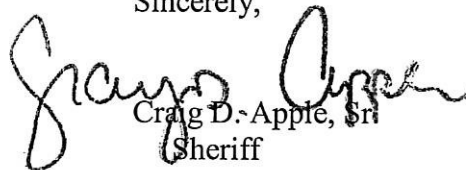
Legislative approval is being requested to enter into an intergovernmental agreement in which Albany County relinquishes claim to funds from the 2022 Byrne Justice Assistance Grant (JAG) Program Award and authorizes the City of Albany to accept and allocate these grant funds for various law enforcement programs.

The amount of the award is \$73,291.00, of which there is no fiduciary responsibility to the County of Albany.

This process was previously approved by the Albany County Legislature for a 2021 Award in resolution 2021-255.

Should there be any questions, please do not hesitate to call.

Sincerely,

  
Craig D. Apple, Sr.  
Sheriff

Cc: Hon. Daniel McCoy, County Executive  
Hon. William Clay, Public Safety Chairman  
Hon. Wanda Willingham, Audit & Finance  
Brandon Russell, Esq., Majority Counsel  
Arnis Zilgme, Esq., Minority Counsel  
Patrick Cronin, Minority Counsel



**REQUEST FOR LEGISLATIVE ACTION**

FOR COUNSEL USE ONLY	
DATE:	_____
RECEIVED:	_____
RECEIVED BY:	_____
METHOD:	<u>HAND</u> _____
	<u>COURIER</u> _____
	<u>MAIL</u> _____

DATE : JULY 5, 2022

DEPARTMENT: ALBANY COUNTY SHERIFF'S DEPT

CONTACT PERSON: SHERIFF CRAIG D APPLE SR  
TELEPHONE: 518-447-5440

DEPT. REPRESENTATIVE ATTENDING  
COMMITTEE MEETING: SHERIFF CRAIG D APPLE SR

**PURPOSE OF REQUEST:**

- ADOPTION OF LOCAL LAW \_\_\_\_\_
- AMENDMENT OF PRIOR LEGISLATION \_\_\_\_\_
- APPROVAL/ADOPTION OF PLAN/PROCEDURE \_\_\_\_\_
- BOND APPROVAL \_\_\_\_\_
- BUDGET AMENDMENT(SEE BELOW) \_\_\_\_\_
- CONTRACT AUTHORIZATION (SEE BELOW) X
- ENVIRONMENTAL IMPACT \_\_\_\_\_
- HOME RULE REQUEST \_\_\_\_\_
- PROPERTY CONVEYANCE \_\_\_\_\_
- OTHER:(STATE BRIEFLY IF NOT LISTED ABOVE) \_\_\_\_\_

**CONCERNING BUDGET AMENDMENTS**

**STATE THE FOLLOWING**

INCREASE ACCOUNT/LINE NO. \_\_\_\_\_  
SOURCE OF FUNDS: \_\_\_\_\_  
TITLE CHANGE: \_\_\_\_\_

**CONCERNING CONTRACT AUTHORIZATION,**

**STATE THE FOLLOWING:**

**TYPE OF CONTRACT**

- CHANGE ORDER/CONTRACT AMENDMENT \_\_\_\_\_
- PURCHASE (EQUIPMENT/ SUPPLIES) \_\_\_\_\_
- LEASE (EQUIPMENT/SUPPLIES) \_\_\_\_\_
- REQUIREMENTS \_\_\_\_\_
- PROFESSIONAL SERVICES \_\_\_\_\_
- EDUCATIONAL/TRAINING \_\_\_\_\_
- GRANT: NEW \_\_\_\_\_
- RENEWAL \_\_\_\_\_
- SUBMISSION DEADLINE DATE \_\_\_\_\_

SETTLEMENT OF A CLAIM \_\_\_\_\_  
RELEASE OF LIABILITY \_\_\_\_\_  
OTHER: (STATE BRIEFLY) X

**WE WILL ENTER INTO AN INTERMUNICIPAL AGREEMENT BETWEEN ALBANY COUNTY AND THE CITY OF ALBANY TO ALLOW THE CITY OF ALBANY TO RECEIVE THE 2022 JAG GRANT IN THE AMOUNT OF \$ 73,291.00**

**CONCERNING CONTRACT AUTHORIZATION (CONT'D)**

**STATE THE FOLLOWING:**

CONTRACT TERMS/CONDITIONS: \_\_\_\_\_ PARTY (NAME/ADDRESS):  
\_\_\_\_\_  
\_\_\_\_\_

AMOUNT/RATE SCHEDULE/FEE:  
\_\_\_\_\_  
TERM: \_\_\_\_\_  
SCOPE OF SERVICES: \_\_\_\_\_  
\_\_\_\_\_

CONTRACT FUNDING:  
ANTICIPATED IN CURRENT BUDGET: YES \_\_\_\_\_ NO \_\_\_\_\_  
FUNDING SOURCE: \_\_\_\_\_  
COUNTY BUDGET ACCOUNTS: \_\_\_\_\_  
REVENUE: \_\_\_\_\_  
APPROPRIATION: \_\_\_\_\_  
BOND(RES. NO. & DATE OF ADOPTION) \_\_\_\_\_

**CONCERNING ALL REQUESTS:**  
MANDATED PROGRAM/SERVICE: YES \_\_\_\_\_ NO X  
IF MANDATED CITE: AUTHORITY \_\_\_\_\_  
ANTICIPATED IN CURRENT ADOPTED BUDGET: YES \_\_\_\_\_ NO X  
IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS: \_\_\_\_\_

FISCAL IMPACT - FUNDING: \_\_\_\_\_ (DOLLARS OR PERCENTAGES)  
FEDERAL \_\_\_\_\_  
STATE \_\_\_\_\_  
COUNTY \_\_\_\_\_  
TERM/LENGTH OF FUNDING \_\_\_\_\_

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:  
RESOLUTION/LAW NUMBER: RES. 255 IN 2021  
DATE OF ADOPTION: 8/9/2021

JUSTIFICATION: \_\_\_\_\_ (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)  
**COUNTY OF ALBANY AGREES THAT THE CITY OF ALBANY SHALL RECEIVE THE TOTAL OF  
THE 2022 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD IN THE AMOUNT OF  
\$73,291.00**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BACK-UP MATERIAL SUBMITTED \_\_\_\_\_ (I.E. APPLICATION/APPROVAL NOTICES FROM FUNDING SOURCE,  
BID TABULATION SHEET, CIVIL SERVICE APPROVAL NOTICE, PROGRAM ANNOUNCEMENT, CONTRACTS  
AND/OR ANY MATERIALS WHICH EXPLAIN OR SUPPORT THE REQUEST FOR LEGISLATIVE ACTION.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUBMITTED BY: CRAIG D APPLE SR  
TITLE: SHERIFF



[Home](#) / [Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program](#)

# Edward Byrne Memorial Justice Assistance Grant (JAG) Program

## FY 2022 Allocations

- [FY 2022 JAG State Allocations](#)
- FY 2022 JAG Local Allocations are available by selecting the relevant state from the below table:

<a href="#">Alabama</a>	<a href="#">Louisiana</a>	<a href="#">Ohio</a>
<a href="#">Alaska</a>	<a href="#">Maine</a>	<a href="#">Oklahoma</a>
<a href="#">Arizona</a>	<a href="#">Maryland</a>	<a href="#">Oregon</a>
<a href="#">Arkansas</a>	<a href="#">Massachusetts</a>	<a href="#">Pennsylvania</a>
<a href="#">California</a>	<a href="#">Michigan</a>	<a href="#">Rhode Island</a>
<a href="#">Colorado</a>	<a href="#">Minnesota</a>	<a href="#">South Carolina</a>

<u>Connecticut</u>	<u>Mississippi</u>	<u>South Dakota</u>
<u>Delaware</u>	<u>Missouri</u>	<u>Tennessee</u>
<u>Florida</u>	<u>Montana</u>	<u>Texas</u>
<u>Georgia</u>	<u>Nebraska</u>	<u>Utah</u>
<u>Hawaii</u>	<u>Nevada</u>	<u>Vermont</u>
<u>Idaho</u>	<u>New Hampshire</u>	<u>Virginia</u>
<u>Illinois</u>	<u>New Jersey</u>	<u>Washington</u>
<u>Indiana</u>	<u>New Mexico</u>	<u>West Virginia</u>
<u>Iowa</u>	<u>New York</u>	<u>Wisconsin</u>
<u>Kansas</u>	<u>North Carolina</u>	<u>Wyoming</u>
<u>Kentucky</u>	<u>North Dakota</u>	

**Date Created: June 16, 2022**



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

2022 NY LOCAL JAG ALLOCATIONS

Listed below are all jurisdictions in the state that are eligible for FY 2022 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://bjs.ojp.gov/library/publications/justice-assistance-grant-jag-program-2021> and current JAG Frequently Asked Questions here: <https://bja.ojp.gov/program/jag/frequently-asked-questions>.

Finding your jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (\*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

		Government Type	Direct Allocation	Joint Allocation
NY	ALBANY COUNTY	County	*	
NY	ALBANY CITY	Municipal	\$73,291	\$73,291
NY	BROOME COUNTY	County	*	
NY	BINGHAMTON CITY	Municipal	\$31,937	\$31,937
NY	CHAUTAUQUA COUNTY	County	*	
NY	JAMESTOWN CITY	Municipal	\$18,866	\$18,866
NY	DUTCHESS COUNTY	County	*	
NY	POUGHKEEPSIE CITY	Municipal	\$20,949	\$20,949
NY	ERIE COUNTY	County	*	
NY	AMHERST TOWN	Township	\$13,252	
NY	BUFFALO CITY	Municipal	\$238,739	
NY	CHEEKTOWAGA TOWN	Township	\$17,870	\$269,861
NY	JEFFERSON COUNTY	County	*	
NY	WATERTOWN CITY	Municipal	\$15,395	\$15,395
NY	MONROE COUNTY	County	\$16,149	
NY	ROCHESTER CITY	Municipal	\$145,948	\$162,097
NY	NIAGARA COUNTY	County	*	
NY	NIAGARA FALLS CITY	Municipal	\$36,827	\$36,827
NY	ONEIDA COUNTY	County	*	
NY	UTICA CITY	Municipal	\$32,208	\$32,208
NY	ONONDAGA COUNTY	County	\$17,296	
NY	SYRACUSE CITY	Municipal	\$100,428	\$117,724
NY	ORANGE COUNTY	County	*	
NY	NEWBURGH CITY	Municipal	\$28,103	\$28,103
NY	RENSSELAER COUNTY	County	*	
NY	TROY CITY	Municipal	\$27,439	\$27,439

**2022 New York LOCAL JAG ALLOCATIONS**

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State	Jurisdiction Name	Government Type	Direct Allocation	Joint Allocation
NY	ROCKLAND COUNTY	County	*	
NY	SPRING VALLEY VILLAGE	Municipal	\$10,173	\$10,173
NY	SCHENECTADY COUNTY	County	*	
NY	SCHENECTADY CITY	Municipal	\$48,780	\$48,780
NY	WESTCHESTER COUNTY	County	*	
NY	MOUNT VERNON CITY	Municipal	\$33,627	
NY	YONKERS CITY	Municipal	\$62,394	\$96,021
NY	GREECE TOWN	Township	\$15,395	
NY	HEMPSTEAD CITY	Municipal	\$29,461	
NY	NASSAU COUNTY	County	\$105,137	
NY	NEW YORK CITY	Municipal	\$4,283,151	
NY	SUFFOLK COUNTY	County	\$106,948	
<b>Total</b>			<b>\$5,529,763</b>	

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.

*Adopted by unanimous vote - 8/9/21*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 9<sup>th</sup> day of August, 2021, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



**IN WITNESS THEREOF**, I have hereunto set my hand and the official seal of the County Legislature this 10<sup>th</sup> day of August, 2021.

A handwritten signature in cursive script, reading "Nicole Chamberlain", is written over a horizontal line.

Clerk, Albany County Legislature