

County of Albany

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



Meeting Agenda

Wednesday, May 29, 2024

6:30 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Rules Review and Legislative Modernization Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES

Sponsors: Rules Review and Legislative Modernization Committee

CURRENT BUSINESS:

2. ESTABLISHING A POLICY FOR PROCLAMATIONS ISSUED BY THE ALBANY COUNTY LEGISLATURE

Sponsors: Cunningham

3. ESTABLISHING ALBANY COUNTY REMOTE WORK/TELEWORK POLICY FOR COUNTY EMPLOYEES

Sponsors: Efekoro

4. REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES

Sponsors: Conway, Burgdorf, Collins, Drake, Grimm, Lockart, Mauriello, Perlee and Whalen

5. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "G" FOR 2024 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

Sponsors: Cunningham

6. LOCAL LAW NO. "G" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

Sponsors: Cunningham

RESOLUTION NO. 218

ESTABLISHING A POLICY FOR PROCLAMATIONS ISSUED BY THE ALBANY COUNTY LEGISLATURE

Introduced: 4/8/24

By Cunningham:

WHEREAS, The Albany County Legislature has a long and storied history of recognizing achievements in the community through proclamations issued by the body, and

WHEREAS, The continuation of this practice would be assisted by guidelines related to the issuance of such proclamations, and

WHEREAS, The Albany County Legislature's Special Committee on Rules Review and Legislative Modernization has discussed and supports the merits of such a policy, now, therefore, be it

RESOLVED, That the proposed Albany County Legislature Proclamation Policy attached hereto, shall, upon adoption by the Albany County Legislature, be the official policy related to the issuance of proclamations by the Albany County Legislature, and, be it further

RESOLVED, That such policy shall remain in effect until repealed or modified by subsequent resolution, and, be it further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.



HON. JOANNE
CUNNINGHAM
CHAIRWOMAN

HON. WANDA WILLINGHAM
DEPUTY CHAIRWOMAN

ALBANY COUNTY LEGISLATURE
HAROLD L. JOYCE ALBANY COUNTY OFFICE BUILDING
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NECOLE M. CHAMBERS
CLERK
PAUL T. DEVANE
FIRST DEPUTY CLERK

Albany County Legislature Proclamation Policy

Definitions:

A proclamation is an act of proclaiming or declaring commemoration of an event or cause, recognizing extraordinary achievements of local citizens and non-profit organizations, honoring occasions of importance and significance, and/or increasing public awareness on issues pertaining to the residents of Albany County.

A proclamation is not-legally binding and should not be interpreted as a policy endorsement.

A proclamation is strictly honorary and ceremonial.

Guidelines:

Proclamations are generally issued for the following purposes:

- Memorializing special events, including national days of celebration such as a day, a week, a month (i.e. World Alzheimer's Day, Reye's Syndrome Awareness Week, Black History Month), recognition or mourning;
- Memorializing cultural and historical occasions;
- Proclamations must hold a county-wide significance or serve an educational purpose for the residents of Albany County;
- Recognizing local business anniversaries;
- Recognizing achievement of high rank (i.e. Eagle Scout) or success within a local non-profit organization, or school-related activity such as athletics, music, academics, etc.;
- Honoring local non-profit service groups or businesses for their work in the community;
- Recognizing individuals for their outstanding contribution to the community.

Proclamations will generally **not** be issued for the following purposes:

- Groups or individuals Located or residing primarily outside of Albany County;
- Events or activities that are not relevant to Albany County and its residents;
- Controversial or polarizing issues, ideological or religious beliefs;
- National or international groups requesting a proclamation;
- Urging another elected official or system of government to act on an issue or legislation.

Procedure:

All requests for proclamations issued by the Albany County Legislature must be submitted in writing *at least two weeks in advance* of the event. Submission of a proclamation request does not guarantee its issuance. The Chair may make the final decision to modify or deny any proclamation requests, except where such request has 26 signatories. Notwithstanding the above, proclamations will not be issued unless there are more than 5 legislator signatories.

Request must contain the following information:

- The name of person/organization;
- Date to be presented;
- Date needed;
- Date and location of the event or presentation;
- A brief summary and/or background of the event, organization or person;
- An indication whether the proclamation should be sent to the entire legislative body or specific legislators.

All requests must be sent to the Office of the Chair

Proclamations will be distributed to members of the Legislature by the Office of Chair and returned to the sponsor by close of business on the first Friday after its submission.

Requests to sign onto proclamations will be sent to the members of the Legislature via email.

To request a hard copy of a proclamation, contact the Office of the Chair.

Once a proclamation is finalized and sealed, amendments thereafter will not be accepted.

Validity:

For a proclamation to be valid it has to conform to the following criteria:

- It must include the Albany County Legislature seal;
- It must be filed and received by the Clerk of the Legislature.

An invalid proclamation shall not be posted on social media and/or distributed to the public.

Questions:

Please contact Office of the Chair for any questions and for assistance in completing a proclamation.

*Referred to Rules Review and Legislative Modernization Committee – 4/8/24
Favorable Recommendation Rules Review and Legislative Modernization
Committee – 4/24/24*

RESOLUTION NO. 309

ESTABLISHING AN ALBANY COUNTY REMOTE WORK/TELEWORK POLICY FOR COUNTY EMPLOYEES

Introduced: 5/13/24

By Efekoro:

WHEREAS, Albany County has a long history of supporting its workforce, and it will continue to do so as keeps adjusting to the changing nature of work, and

WHEREAS, The Legislature desires to work in partnership with the County Executive to establish the Albany County Remote Work/Telework Policy for County employees, now, therefore, be it

RESOLVED, That the Albany County Legislature hereby establishes the Albany County Remote Work/Telework Policy for County employees, as annexed hereto, and, be it further

RESOLVED, That the County Executive is encouraged to continuing working with County departments to take any and all steps to effectuate this Policy as soon as possible, 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.

ALBANY COUNTY POLICY REGARDING REMOTE WORK/TELEWORK

Section 1. Purpose.

Albany County has a long history of supporting its workforce, and it will continue to do so as keeps adjusting to the changing nature of work. This Policy provides remote work/teleworking options for certain County employees.

This program will allow employees to work their standard workweek, with a maximum of two days (or hours value of two standard days) per pay period permitted to be worked/performed remotely.

Section 2. Remote Work/Telework Program.

All employee protocols and rules pertaining to employees are represented in their respective collective bargaining agreement and/or the Albany County Rules and Regulations, which is passed and amended by the Albany County Legislature.

Employees who can perform a portion or all of their job remotely, are permitted to do so on a case-by-case and department-by-department basis. Some positions are ineligible due to (but not limited to): mandatory direct in-person service delivery, restrictive computer programs/access, non-suitable work setting at home, sensitive nature of work and lack of confidential setting in the home, and general technology limitations.

Section 3. Remote Work Structure.

Departments must identify the Department's Remote Work Structure. If it falls within one of the first three structures, remote work/telework may be permitted.

- A. Weekly Scheduled Hybrid Remote Workers (no greater than two consecutive days per week as outlined below)
- B. Case-by-Case Basis Only Remote Work Participants (meaning only as needed such as due to weather or other extenuating circumstances)
- C. Weekly Scheduled Hybrid AND Case-by-Case Basis Participants.
- D. NO REMOTE WORK. No action required if no remote work is permitted in any the agency or department.

Section 4. Remote Work Contact Person.

Each Department must identify its contact person for the Remote Work Program. Most departments name the individual(s) responsible for timecards. Once a contact is established for the Department, Human Resources will work directly with the

contact person to provide them with the shared workspace site for submission of all weekly mandatory participant documents.

Section 5. Eligible Employees.

To be eligible to participate in this program, an employee must be in good standing and hold a position that is able to be performed remotely. Each Department must identify employees eligible for the Remote Work Program. Each Department must provide an Excel spreadsheet of all employees in the Department who will be eligible to participate. The Excel spreadsheet must include name, title, work phone, personal phone, and County email address.

Section 6. Participating Employees.

Participating employees must be provided with the following documents, which must be completed and returned as follows:

- a. Remote Work Agreement – Must be signed and returned prior to start of remote work.
- b. Remote Work Plan – This general plan outlines remote work assignments and must be completed weekly.
- c. Daily Remote Work Log - Work log instructions are included with the document, which must be completed daily.
- d. Detailed Weekly Timecard – Timecards must be completed to show exact times that were worked.
- e. Remote Work Program Guidelines

All participant documentation is mandatory. Failure to submit requested documents may result in suspension of program participation for the employee or Department. Departments must retain copies of all signed agreements.

Section 7. Program Parameters and Requirements.

- a. All employees must be actively working for the entire duration of their scheduled workday. Response-only work is not permitted.
- b. The program shall not place an undue burden on those employees who are physically present in the workplace.
- c. This program is not intended to and may not be used to replace suitable childcare or child supervision.
- d. All remote hours worked shall be submitted to the participating Departments on a signed Weekly Detailed Timecard accompanied by a Daily Remote Work Log. All work performed remotely must be reflected in a detailed Daily Remote Work Log. No hours can be submitted as time worked without submission of a Daily Remote Work Log.

- e. Participants must request approval and indicate all requested remote days in advance. There is no guarantee of specific approved days during the time period.
- f. Absences from work cannot occur adjacent to a scheduled remote day. For example, if you call in sick from work on day you are required to report in person, you must report to work on your following scheduled remote day.
- g. Employees may NOT change remote scheduled days during the approved period, without advance notice to and approval from the Department.
- h. Remote work schedules will be approved by the Commissioner of the Department, based on the scheduling needs of the Department.
- i. Employees may elect to withdraw from the remote work program no later than the start of pay period for the scheduled remote work.
- j. Any absences from work, both remote and in person, must be charged to accruals accordingly. Employees who are scheduled to work remotely but are unable to work must notify their Department as normal and charge accruals accordingly.
- k. The Albany County Rules and Regulations and any Departmental policies for requested time off shall apply.
- l. Albany County reserves the right to terminate participation in the Remote Work Program if an employee's performance is not satisfactory or when Department demand necessitates.
- m. All work performed remotely shall be verified by the Department routinely.

Section 8. Questions and Inquiries.

Questions regarding this policy may be directed to remotework@albanycountyny.gov

RESOLUTION NO. 311

REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES

Introduced: 5/13/24

By: Conway, Burgdorf, Collins, Drake, Grimm, Lockart, Mauriello, Perlee, Whalen

WHEREAS, The Albany County Legislature is responsible for the approval of Albany County's contracting and procurement above a \$100,000 threshold; and

WHEREAS, In the course of its business, the Legislature considers many different contracts which relate to the direct provision of services to individuals, with services covering a wide range of areas including provision of warm shelter to the homeless, rehabilitation, workforce training, and many other types of programs; and

WHEREAS, In order to fully consider the impact of aforementioned programming, as well as the fitness of existing contractors to continue to provide those programs, County Legislators must often ask many additional questions in committee meetings in order to establish a basic framework for the operation and scope of the programs; and

WHEREAS, The aforementioned programmatic legislative items are submitted to the Legislature as "Requests for Legislative Action" from the executive branch of Albany County's government; and

WHEREAS, Requests for Legislative Action are not presently codified within the Legislature's Rules of Order or in the Albany County Charter, instead existing as convention reliant on the directive of the sitting County Executive; and

WHEREAS, Best practices suggest a basic codification of the form of Requests for Legislative Action would ensure the efficient consideration and passage of these items beyond the terms of existing officials; and

WHEREAS, Requests for Legislative Action should include additional detail regarding the efficacy and scope of direct service programs in order to allow legislators to consider the whole effect of a proposal prior to committee meetings, now, therefore be it

RESOLVED, By the Albany County Legislature, that Rule 11 of the Legislative Rules of Order shall be amended to read as follows:

RULE 11 - LEGISLATION PROCEDURE

Each resolution shall be consecutively numbered and the title shall state concisely the subject matter thereof. All resolutions and local laws which are to be presented to the Legislature for its consideration shall be delivered to the office of the Clerk of the Legislature, County Attorney and Majority and Minority Counsels, by 12:00 noon on the second Wednesday preceding the date of the organizational meeting, annual meeting or each regular monthly meeting of the Legislature, and by 12:00 noon two (2) business days prior to any special meeting that may be called. Any proposal submitted by the County Executive or any department, agency, office, or any other part of the executive branch, or by any other countywide elected official, shall include a cover letter and form detailing the following information, if applicable:

1. Purpose of request and/or type of contract;
2. Budgetary impact, including the amount increased or decreased in a specific budget line, any applicable bond resolutions, as well as a description of the source of funding divided by Federal, State, County, and Local shares;
3. Whether the requested action is required by mandate, and, if so, by what authority;
4. Previous legislative history, including similar items;
5. Term of contract;
6. Potential impact on pending litigation;
7. For programs, including contracted programs, providing direct services, products or other benefits to county residents: the number of persons to be served; the number of persons served in prior years (if applicable); and, if measured, quantifiable benefits to those benefiting from the program/service/products; and
8. Justification in support of the requested action.

These proposals shall be known as a Request for Legislative Action (“RLA”). The Clerk may reject any RLA that does not include the submissions required under this Rule. The Clerk shall include all such resolutions and proposed local laws in the agenda to be distributed as herein set forth and make available to each legislator such agenda by 4:00 p.m. on the Tuesday preceding such meetings, exclusive of special meetings. The Clerk shall make the agenda for special meetings available one business day prior to the special meeting. Resolutions and local laws not contained in the printed agenda, but which require immediate attention, may be introduced with the consent of the majority of the Legislature with copies provided to members of the Legislature, the County Attorney, Majority and Minority Counsels and the Clerk of the Legislature prior to the start of the Legislative meeting at which the proposed Rule 11 is being offered. Legislation offered under Rule 11 should be of the

type where timely passage is of the essence, and legislation offered under lesser circumstances may not be allowed.

Each resolution shall be numbered in consecutive order beginning with number one each year. A resolution shall retain its number throughout the legislative process. However, if a resolution is amended, the letter A for the first time amended, the letter B for the second time amended, and so on shall be added to the resolution number to signify each amendment(s).

Each local law shall be assigned a letter for introduction purposes in consecutive order beginning with the letter A each year. Once duly adopted, a local law shall be assigned a number and numbered in consecutive order starting with the number one beginning with the first local law adopted each year.

Each resolution or local law shall have a title which shall concisely state the subject matter thereof.

Resolutions and local laws not contained in the printed agenda may only be introduced after all other printed agenda items have been addressed, and only with the consent of the majority of the Legislature, and only if complete copies thereof are provided to each member, the County Attorney, Majority and Minority Counsels and the Legislative Clerk prior to the introduction of said proposed Legislation.

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. G FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

Introduced: 5/13/24

By Cunningham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Section 203 of the Albany County Charter is hereby amended to create the following subsections:

(d) The Chairperson within 20 days of having been elected as Chairperson of the Legislature, or within 20 days of the effective date of the amendment creating subsection (d) of Section 203 of the Albany County Charter, shall appoint a Deputy Chairperson. The Deputy Chairperson shall, in the absence of the Chairperson, preside over each duly constituted meeting of the Legislature and have and exercise all of the powers and duties of the Chairperson at any meeting over which the Deputy Chairperson is called to preside.

(e) The Deputy Chairperson, except as herein limited and/or provided, shall have and exercise those additional powers and duties as may be authorized by Resolution of the Legislature.

(f) The Deputy Chairperson shall at no time appoint or remove a person to or from an office or position of employment with the County. The Deputy Chairperson may, in the absence of the Chairperson from the County, or upon the Chairperson's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairperson to execute.

SECTION III. Effective Date.

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

RESOLUTION NO. 314

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “G” FOR 2024 A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

Introduced: 5/13/24

By Cunningham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “G” for 2024, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, June 25, 2025, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

LOCAL LAW NO. "G" FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

Introduced: 5/13/24

By Cunningham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Section 203 of the Albany County Charter is hereby amended to create the following subsections:

(d) The Chairperson within 20 days of having been elected as Chairperson of the Legislature, or within 20 days of the effective date of the amendment creating subsection (d) of Section 203 of the Albany County Charter, shall appoint a Deputy Chairperson from the membership of the Legislature, to serve at the pleasure of the Chairperson of the Legislature, but in no instance longer than the next Organizational Meeting of the Legislature. The Deputy Chairperson shall, in the absence of the Chairperson, preside over each duly constituted meeting of the Legislature and have and exercise all of the powers and duties of the Chairperson at any meeting over which the Deputy Chairperson is called to preside.

[(e) The Deputy Chairperson, except as herein limited and/or provided, shall have and exercise those additional powers and duties as may be authorized by Resolution of the Legislature.]

(e) The Deputy Chairperson shall at no time appoint or remove a person to or from an office or position of employment with the County. The Deputy Chairperson may, in the absence of the Chairperson from the County, or upon the Chairperson's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairperson to execute.

SECTION II.

Subsections (d), (e), (f), and (g) of Section 203 shall be reordered to reflect the inclusion of the above amendments.

SECTION III. Effective Date.

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