AGENDA

ALBANY COUNTY LEGISLATURE

JANUARY 14, 2019

CURRENT BUSINESS

1. APPOINTMENT OF A MEMBER TO THE BOARD OF DIRECTORS OF CORNELL COOPERATIVE EXTENSION

   By Mr. A. Joyce

2. REAPPOINTMENT OF DIRECTOR TO THE ALBANY COUNTY BUSINESS DEVELOPMENT CORPORATION

   By Mr. A. Joyce

3. AMENDING RESOLUTION NO. 589 FOR 2018 AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OF APRIL 1, 2018 THROUGH SEPTEMBER 30, 2018

   By Mr. A. Joyce

4. AMENDING THE ALBANY COUNTY LEGISLATIVE RULES OF ORDER TO CHANGE THE NAMES OF TWO STANDING COMMITTEES

   By Mr. A. Joyce
5. CHANGING THE NAME OF THE SPECIAL COMMITTEE FOR TRAVEL, TOURISM, COMMERCE, BUSINESS, INDUSTRY AND ECONOMIC DEVELOPMENT TO THE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT

By Mr. A. Joyce

6. APPOINTMENT OF MEMBER TO THE ALBANY COUNTY INVESTMENT BOARD

By Messrs. Mauriello and Grimm

7. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "N" FOR 2018

By Mr. Drake

LOCAL LAWS:

LOCAL LAW NO. "A" FOR 2019: A LOCAL LAW TO ESTABLISH THE ALBANY COUNTY FAIR HOTEL CONSUMER PRACTICES LAW

By Mr. Bullock
RESOLUTION NO. 1

APPOINTMENT OF A MEMBER TO THE BOARD OF DIRECTORS OF CORNELL COOPERATIVE EXTENSION

Introduced: 1/14/19
By Mr. A. Joyce:

WHEREAS, The Constitution and By-Laws of the Cooperative Extension Association of Albany County provide that one member of the Board of Directors shall be appointed by the County Legislature, now, therefore be it

RESOLVED, By the Albany County Legislature that the Hon. Christopher Smith of East Berne, New York is appointed as a member of the Board of Directors of the Cooperative Extension Association of Albany County for 2019, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to Director of the Cooperative Extension Association and the appropriate County Officials.
RESOLUTION NO. 2

REAPPOINTMENT OF DIRECTOR TO THE ALBANY COUNTY BUSINESS DEVELOPMENT CORPORATION

Introduced: 1/14/19
By Mr. A. Joyce:

WHEREAS, According to the By-Laws of the Albany County Business Development Corporation, three directors shall be appointed by the Albany County Legislature, of which, one each shall be recommended by the Majority Party and one shall be recommended by the Minority Party to serve terms of three years, and one by the Legislature which shall serve a two-year term, and

WHEREAS, The Legislature has recommended the reappointment of Robert G. Dollar to serve as a Director of the Albany County Business Development Corporation for a two year term, now, therefore be it

RESOLVED, By the Albany County Legislature that Robert G. Dollar, is appointed to serve as a Director of the Albany County Business Development Corporation for a term commencing January 1, 2019 and expiring December 31, 2020, 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. 3

AMENDING RESOLUTION NO. 589 FOR 2018 AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OF APRIL 1, 2018 THROUGH SEPTEMBER 30, 2018

Introduced: 1/14/19
By: Mr. A. Joyce

WHEREAS, By Resolution No. 589 for 2018 this Honorable Body authorized the distribution of mortgage taxes for the period of April 1, 2018 through September 30, 2018, and

WHEREAS, Due to recent information reported from the Albany County Clerk, an amendment to Resolution No. 589 for 2018 is required, now, therefore, be it

RESOLVED, By the Albany County Legislature that Resolution No. 589 for 2018 is hereby amended as follows:

Delete amount of $217,745.90 for the Town of Berne and replace with $28,792.66
Delete amount of $520,382.10 for the Town of Bethlehem and replace with $709,335.34

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. 4

AMENDING THE ALBANY COUNTY LEGISLATIVE RULES OF ORDER TO CHANGE THE NAMES OF TWO STANDING COMMITTEES

Introduced: 1/14/19
By Mr. A. Joyce

WHEREAS, Rule 21 of the Albany County Legislative Rules of Order establishes the Standing Committees that meet from month to month to review and approve legislation before this body, and

WHEREAS, by Resolution 133 for 2018, the Public Works Committee was consolidated with the Standing Committee on the Civic Center and the Special Committee on Court Facilities to create the Standing Committee on Buildings, Bridges and Roads, and

WHEREAS, the term Public Works is universally recognized to describe any matter regarding the construction and/or renovation of public properties, facilities and infrastructure, and

WHEREAS, for the sake of clarity, it is necessary to return to the name “Public Works” from the current “Buildings, Bridges and Roads,” and

WHEREAS, the remainder of the changes adopted via Resolution 133 for 2018 not modified herein shall continue in effect, and

WHEREAS, the Standing Committee on Conservation and Improvement was established to provide oversight related to all “matters pertaining generally to the improvement and advancement of the County” with regard to the environment as well as … and also all matters pertaining generally to agriculture, Cooperative Extension Services, 4-H Clubs, the conservation of soil, forestry and wildlife and environmental matters” and

WHEREAS, beyond the environmental matters the Standing Committee on Conservation and Improvement reviews, it has been assigned the Department of Economic Development, Conservation and Planning, from which the vast majority of matters presented to this body are related to the environmental assets of the County and rarely are they related to Economic Development, and

WHEREAS, to better reference the environmental realizations this committee engages in, the Standing Committee on Conservation and Improvement shall hereafter be entitled “Conservation, Sustainability and Green Initiatives” and
WHEREAS, the subject matter before the proposed Standing Committee on “Conservation, Sustainability and Green Initiatives” shall remain the same as outlined in the Albany County Legislative Rules of Order, now, therefore, be it

RESOLVED, that Rule 21 of the Albany County Legislative Rules of Order be amended to read as follows:

“RULE 21 – STANDING COMMITTEES
The following standing committees, to consist of nine members for each committee, shall be appointed by the permanent Chairperson of the County Legislature from the membership of the County Legislature within twenty (20) days after said Chairperson's election, and a list thereof shall be filed with the Clerk of the Legislature, and each committee shall perform the duties as hereafter set forth. Within thirty (30) days of the listing of the committee assignments, each Committee Chairperson shall assign and officially list a time and a day for the regular monthly committee meetings. No Standing Committee of the Albany County Legislature shall meet on a civic holiday and consideration shall be given to avoid meeting on a religious holiday. The Committee Chairperson may cancel any meeting if there is no business for the Committee. In the event a member cannot attend a rescheduled regular meeting and to the extent it is legally permitted, such member may submit to the Chairperson a written statement of their opinion on business items which are on the Committee's agenda and those written opinions shall become part of the Committee's minutes.
Each and every Committee Chairperson shall, to the extent practicable, submit a copy of the Committee Agenda no later than twenty-four (24) hours prior to the scheduled Committee meeting. Every committee meeting shall be open to the public, however, this provision shall not preclude the right of the Chairperson to call for an executive session.

STANDING COMMITTEES

1. Audit and Finance
   a. Audit and Control
   b. Budget
   c. Investment
   d. Capital Program
   e. Taxation

   Duties: All matters pertaining generally to County finances including the Department of Audit and Control, the Department of Management and Budget, appropriations included in the County Budget and Capital Program, and verification of assessment rolls, equalization rates, and the sale of delinquent tax properties.

The Departments of Audit and Control, Department of Consumer Affairs, Department of Management and Budget, the Real Property Tax Service Agency,
and all departments involved in a capital project shall report to the standing committee on Audit and Finance.

2. Social Services  
   a. Social Services  
   b. Albany County Residential Health Care Facility

   Duties: All matters pertaining generally to public welfare and matters affecting the Social Services Department, Albany County Residential Health Care Facility, except such matters relating to services to the elderly. The Departments of Social Services, the Youth Bureau and the Albany County Residential Health Care Facility shall report to the standing committee on Social Services.

3. Health  
   a. Department of Health  
   b. Mental Health  
   c. Environmental Health

   Duties: All matters pertaining generally to the County Health Department, County Board of Health, Sanitation Codes, Department of Mental Hygiene and Retardation Alcoholism Boards. The Departments of Health and Mental Health and the County Coroners shall report to the standing committee on Health.

4. [Conservation and Improvement] Conservation, Sustainability and Green Initiatives  
   a. Conservation and Improvement of County Resources  
   b. Cultural and Educational Affairs  
   c. Department of Economic Development, Conservation and Planning

   Duties: All matters pertaining generally to the improvement and advancement of the County except those having to do with highways and buildings and also all matters pertaining generally to agriculture, Cooperative Extension Services, 4-H Clubs, the conservation of soil, forestry and wildlife and environmental matters.

   The Department of Economic Development, Conservation and Planning, County Planning Board, all County agencies involved in cultural and educational affairs, the Cooperative Extension, the Soil and Water Conservation District and the Environmental Management Council shall report to the standing committee on County Improvement and Conservation.

5. Public Safety  
   a. Sheriff
b. Jail

c. Probation Office

d. Fire Coordinator

e. Civil Defense

f. Military Affairs

Duties: All matters pertaining generally to the operation of the Jail, Sheriffs Department and Probation Department and also all matters pertaining generally to the protection and well-being of the residents of the County.

The County Sheriff, Director of Probation, Fire Coordinator, the Office of Civil Defense and Natural Disaster and the Veterans Bureau shall report to the standing committee of Public Safety.

6. Personnel

   a. Human Resources
   b. Civil Service
   c. County Officers

Duties: All matters pertaining generally to Human Resources, Civil Service affairs and the creation, organization and/or re-organization of County departments and offices as required.

The Department of Human Resources, including the Divisions of Employee Relations, Personnel Services, Affirmative Action, and Civil Service shall report to the standing committee on Personnel.

7. Law

   a. Service Relationship
   b. Department of Law
   c. Public Defender's Office
   d. District Attorney's Office
   e. County Clerk
   f. Board of Elections
   g. Public Access
   h. City and Towns
   i. County Rules
   j. Agency, Department and Inter-Governmental Coordination
   k. Clerk of the Legislature

Duties: All matters pertaining generally to contracts with public corporations and authorities, County law and its structure, operation and maintenance of the offices of Public Defender, District Attorney and County Attorney and also all matters pertaining generally to printing, recording, maintaining, storing and accessibility to County records and matters relating to election accounts.
The District Attorney, the Public Defender, the Commissioner of Jurors, the Clerk of the Courts, the Board of Elections, the Department of Law, the Rape Crisis Center and all court officials under the jurisdiction of the County, the Public Access Officer, the County Clerk and the Clerk of the Legislature shall report to the standing committee of Law.

8. Mass Transit
   a. Airport

   Duties: All matters pertaining generally to the Airport and mass transit in the County. The Director of the Airport, the Traffic Safety Board and all County agencies involved in transportation shall report to the standing committee on Mass Transit.

9. [Buildings, Bridges and Roads] Public Works
   a. Albany County Residential Health Care Facilities
   b. Albany County Courthouse
   c. Civic Center
   d. County Buildings
   e. Highways
   f. Parks and Recreation
   g. Water Purification District
   h. General Services

   Duties: All matters pertaining generally to the Civic Center, and to major construction/reconstruction projects at the Albany County Courthouse or Albany County Residential Health Care Facility, and all matters pertaining generally to the charge and supervision of design, construction and alterations of County buildings, parking fields, drives, walks, docks, marinas, parks and recreational facilities, preserves, beaches, erosion projects, and such other structures and facilities of the development, maintenance and management of parks and other recreational facilities, also matters pertaining to County facilities for drainage, flood control, sanitation, sewerage and land water supply.

   The Manager and appropriate personnel of the [Arena] Civic Center, the Departments of General Services, Public Works, Buildings, Parks and Recreation, and the Water Purification District shall report to the standing committee on [Building, Roads and Bridges] Public Works.

10. Elder Care
    a. Department for Aging
    b. Albany County Residential Health Care Facilities

    Duties: All matters pertaining generally to public welfare and support of the elderly and all matters affecting the Department for Aging and the Albany County
Residential Health Care Facility except such matters not relating to services to the elderly.

The Department of Aging and the Albany County Residential Health Care Facility shall report to the standing committee on Elder Care.”

and, be it further

RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to the Chairman of the Legislature and the appropriate County Officials.
RESOLUTION NO. 5

CHANGING THE NAME OF THE SPECIAL COMMITTEE FOR TRAVEL, TOURISM, COMMERCE, BUSINESS, INDUSTRY AND ECONOMIC DEVELOPMENT TO THE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT

Introduced: 1/14/19
By Mr. A. Joyce

WHEREAS, Rule 22 of the Albany County Legislative Rules of Order establishes the Legislature may from time to time create Special Committees related to significant issues or business before it, and

WHEREAS, by Resolution 282-a for 2018, the Special Committee on Travel, Tourism, Commerce, Business, Industry and Economic Development, was established to provide oversight for all policy matters and local laws affecting the economics of those areas, and

WHEREAS, the title of that committee is well intentioned but unnecessarily cumbersome, and

WHEREAS, for the sake of accuracy and simplicity, that Special Committee should be referred to as the single issue related to all the different aspects contained therein, namely Economic Development, and

WHEREAS, the remainder of the changes adopted via Resolution 282-a for 2018 not modified herein shall continue in effect, now, therefore, be it

RESOLVED, that the Special Committee on Travel, Tourism, Commerce, Business, Industry and Economic Development be hereafter entitled the Special Committee on "Economic Development" and be it further

RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to the Chairman of the Legislature and the appropriate County Officials.
RESOLUTION NO. 6

APPOINTMENT OF MEMBER TO THE ALBANY COUNTY INVESTMENT BOARD

Introduced: 1/14/19
By: Mauriello and Grimm

WHEREAS, Albany County has delegated responsibility for administration of the investment program to the Commissioner of Management and Budget as chief investment officer in accordance with Section 502(c) of the Albany County Charter, and

WHEREAS, The chief investment officer shall be guided by the Investment Policy Board which shall consist of six members, one of which shall be appointed by the Majority Leader of the County Legislature and one of which shall be appointed by the Minority Leader of the County Legislature, now, therefore be it

RESOLVED, That pursuant to the Investment Policy for Albany County the following individual is hereby appointed to the Albany County Investment Board to serve at the pleasure of the Legislature until such time as a successor is appointed:

John Gigliello
Colonie, NY

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. 7

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “N” FOR 2018

Introduced: 1/14/19
By: Mr. Drake

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “N” for 2018, “A Local Law of the County of Albany, New York Amending Section 1101 of the Albany County Charter and Local Law No. 8 for 1993 as Subsequently Amended to Promote the Hiring of an Economic Development Director” 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, January 29, 2019, 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. "A" FOR 2019

A LOCAL LAW TO ESTABLISH THE ALBANY COUNTY FAIR HOTEL CONSUMER PRACTICES LAW

Introduced: 1/14/19
By Mr. Bullock:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Legislative Intent.

The Legislature hereby finds and determines that hotels should be honest and transparent with their guests regarding disruptions of service such as infestations, construction issues, pickets, and boycotts at their hotels.

The Legislature further finds that hotel guests will frequently be unaware of such issues when they make a reservation at a hotel, and often find it difficult if not impossible to cancel their reservations upon arriving at the hotel and discovering such issues.

The Legislature further finds that fair hotel consumer practices would require hotels to notify guests of any such disruption in service, and should insure refunds and eliminate cancellation fees in the case of such a disruption.

Section 2. Definitions. As used in this Local Law, the following terms shall have the meanings indicated:

(a) HOTEL — A building in which lodging is provided and offered to the public, which is customarily open to transient guests, and which may include ancillary facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. A hotel unit may contain a kitchen for extended stay lodgings. Outdoor athletic courts and other outdoor facilities are permitted and may be included with a hotel use.

(b) HOTEL SERVICES — Any services commonly offered by a hotel, including, but not limited to, letting of guest rooms, letting of meeting rooms, provision of food and/or beverage services, provision of banquet services, and provision of spa services.

(c) SERVICE DISRUPTION — The occurrence of any of the following: (i) Any construction at such hotel that creates excessive noise that has the potential to disturb guests in their rooms other than construction that is unplanned and intended to correct an emergency or other situation requiring immediate attention; (ii) Any durational strike, lockout, boycott, or picketing activity at or near a hotel which is related to such hotel; or (iii) Any infestation verified by a
licensed exterminator or governmental agency of hotel rooms by bed bugs, lice, or other insects or vermin that are capable of spreading disease and/or being carried, including on one’s person, that has not been remedied by a licensed exterminator.

Section 3. Prohibitions.
(a) Notification of Service Disruption. A hotel must notify, in writing or by electronic mail, each guest who has reserved a room, and any customer who has entered into a booking to utilize hotel services, of any service disruption, including a description of the nature of the service disruption, and of the right to a full refund of the amount paid for any portion of a stay affected by such service disruption. Such notification must be prominent and clear. If such notice is included in a communication containing other information, it must be prominent and clear, in a larger font and different color than the remainder of the communication.
(b) Right to Refund and Prohibition on Penalty for Cancellation. Guests and customers shall be entitled to a full refund of the amount paid for any portion of a stay affected by a service disruption. Hotels may not impose any fee, penalty or other charge, nor retain any deposit in the event a guest or customer cancels a reservation, arrangement or agreement to use hotel services in the event of a service disruption.
(c) If a hotel violates subsection (a) of this section, such hotel shall immediately upon request refund affected guests or customers an amount equal to one hundred percent (100%) of the total cost charged for the night or nights or event affected by the disruption, agreed upon, or quoted to the affected guest or customer, except in cases where commencement of a service disruption make it impractical to provide timely notification.

Section 4. Applicability.
This Local Law shall apply to all actions occurring on or after the effective date as set out in Section 6.

Section 5. Severability.
If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective Date.
This law shall take effect sixty (60) days following its filing in the Office of the New York State Secretary of State.