AGENDA
ALBANY COUNTY LEGISLATURE
JUNE 10, 2019

PREVIOUS BUSINESS:

497. **RESOLUTION NO. 497 FOR 2018: ADOPTING A POLICY REGARDING THE LEGISLATIVE SUMMER INTERNSHIP PROGRAM**

By Mr. Ethier

208. **RESOLUTION NO. 208: APPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD MENTAL HEALTH AND ALCOHOL AND SUBSTANCE ABUSE SUBCOMMITTEES**

By Messrs. Feeney, Ward and R. Joyce

By Messrs. Comisso, A. Joyce, Feeney, Clay, Beston, Miller, Smith and Ms. McKnight

223. **RESOLUTION NO. 223: CREATING A FACILITIES CONDITION ASSESSMENT COMMITTEE**

By Mr. Burgdorf

**CURRENT BUSINESS:**

224. **AUTHORIZING A LEASE AGREEMENT WITH CAPITAL DISTRICT PHYSICIANS HEALTH PLAN REGARDING CORPORATE SUITE NO. 23 AT THE TIMES UNION CENTER**

By Public Works Committee

225. **AUTHORIZING A LEASE AGREEMENT WITH SCHENECTADY HARDWARE AND ELECTRIC CO., INC. REGARDING CORPORATE SUITE NO. 18 AT THE TIMES UNION CENTER**

By Public Works Committee

226. **AUTHORIZING LEASE AGREEMENTS WITH BBL CONSTRUCTION SERVICES, LLC AND MANUFACTURERS AND TRADERS TRUST COMPANY REGARDING CORPORATE SUITE NO. 1 AT THE TIMES UNION CENTER**

By Public Works Committee

227. **AUTHORIZING AN AGREEMENT WITH RIFENBURG CONTRACTING CORP. REGARDING VARIOUS PROJECTS IN THE TOWNS OF WESTERLO, RENSSELAERVILLE, AND COEYMANS**

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228. **AUTHORIZING AN AGREEMENT WITH TIOGA CONSTRUCTION CO., INC. REGARDING THE SUPERSTRUCTURE REPLACEMENT PROJECT OF CR253 (BOZENKILL RD) OVER NORFOLK SOUTHERN RAILROAD IN THE TOWN OF KNOX**

By Public Works Committee
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By Public Works Committee

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231. AUTHORIZING AN AGREEMENT WITH ATLANTIC PAVEMENT MARKING, INC. REGARDING THE STRIPING OF VARIOUS COUNTY HIGHWAYS

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By Audit and Finance Committee

246. AUTHORIZING THE ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION MULTI-MODAL GRANT FUNDING REGARDING TRAFFIC CONTROL IMPROVEMENTS ON ALBANY SHAKER ROAD AND AMENDING THE 2019 ALBANY COUNTY BUDGET

By Audit and Finance Committee

247. AMENDING THE 2019 ALBANY COUNTY BUDGET: SALARY ADJUSTMENTS

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248. AUTHORIZING THE EXECUTION OF AN OPTION AGREEMENT WITH ST. CATHERINE'S CENTER FOR CHILDREN REGARDING THE PURCHASE OF REAL PROPERTY LOCATED AT 543 NORTH PEARL STREET (TAX MAP NO. 65.44-1-4) IN THE CITY OF ALBANY

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249. AUTHORIZING AN AGREEMENT WITH THE ALBANY COUNTY LAND BANK CORPORATION REGARDING E-PROPERTYPLUS SOFTWARE

By Audit and Finance Committee

250. AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

By Audit and Finance Committee

251. RESCINDING THE CONVEYANCE OF REAL PROPERTY PURSUANT TO RESOLUTION NO 271 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 182 BREVATOR STREET (TAX MAP NO. 53.82-1-9) IN THE CITY OF ALBANY

By Audit and Finance Committee

252. AUTHORIZING A CORRECTION TO THE TAX ROLLS FOR THE CITY OF ALBANY

By Audit and Finance Committee

253. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE CITY OF ALBANY

By Audit and Finance Committee

254. AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH INFO QUICK SOLUTIONS, INC. REGARDING AN INDEXING, CASHIERING AND SCANNING SYSTEM FOR THE COUNTY CLERK'S OFFICE

By Law Committee

LOCAL LAWS:

LOCAL LAW "C" FOR 2018: A LOCAL LAW TO PROVIDE ACCESS TO PAID SICK TIME TO QUALIFIED EMPLOYEES WITHIN ALBANY COUNTY
By Messrs. Bullock, Reinhardt, A. Joyce, Fein, Higgins, Mss. Lekakis, McLean Lane, Cunningham, Messrs. R. Joyce and Miller

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

By Messrs. Drake, Smith, Fein and Ms. Lekakis
RESOLUTION NO. 497

ADOPTING A POLICY REGARDING THE LEGISLATIVE SUMMER INTERNSHIP PROGRAM

Introduced: 10/9/18
By Mr. Ethier:

WHEREAS, The Albany County Legislature has established a legislative summer internship program for the County of Albany in order to provide opportunities for individuals interested in the various operations of local government, and

WHEREAS, Individuals selected for the summer internship program are placed, in cooperation with the County Executive's Office, the District Attorney's Office, the Comptroller's Office, and the Clerk's Office among others, in such offices and departments that best suit their interests and skills, and

WHEREAS, In order to ensure that individuals representing communities in all of the legislative districts are fairly and equally represented, a policy is warranted detailing how the selection of such individuals for this program shall be selected, now, therefore, be it

RESOLVED, By the Albany County Legislature that when determining the number of internships available, that a minimum of at least one position up to a maximum not to exceed two positions shall be allotted for qualifying applicant(s) from each of the Legislative districts, and, be it further

RESOLVED, That in the event that there are fewer than two qualifying applications from interested individuals living in a legislative district, the Legislator representing such district may direct that such unfilled positions be designated to another district of their choosing, and, be it further

RESOLVED, That no such transfer of allotted internship position(s) shall prohibit the placement of a qualified applicant from that legislative district if such applicant becomes known and if there are otherwise excess vacant slots available, 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.

Referred to Personnel Committee - 10/9/18
Without Recommendation Personnel Committee - 5/29/19
RESOLUTION NO. 208

APPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD
MENTAL HEALTH AND ALCOHOL AND SUBSTANCE ABUSE
SUBCOMMITTEES

Introduced: 5/13/19
By Messrs. Feeney, Ward and R. Joyce:

WHEREAS, Mr. James L. Stone, as the Chairperson of the Community
Services Board has indicated that the terms of various members of the Mental Health
Subcommittee and Alcohol and Substance Abuse Subcommittee have expired, and
that these individuals wish to continue to serve on these subcommittees, now,
therefore, be it

RESOLVED, By the Albany County Legislature that, pursuant to Section
41.11 of the New York State Mental Hygiene Law, the following individuals are
hereby appointed to the Subcommittees of the Community Services Board:

<table>
<thead>
<tr>
<th>Mental Health Subcommittee</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sallie Jo Smith</td>
<td>12/31/21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alcohol and Substance Abuse Subcommittee</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Heroux</td>
<td>12/31/21</td>
</tr>
<tr>
<td>Marsha Nadell Penrose</td>
<td>12/31/22</td>
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<tr>
<td>Barry D. Walston</td>
<td>12/31/20</td>
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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.

Referred to Personnel Committee - 5/13/19
Favorable Recommendation Personnel Committee - 5/29/19
RESOLUTION NO. 218

REQUESTING THAT THE ALBANY COUNTY EXECUTIVE, AND COMMISSIONERS OF THE DEPARTMENT OF HUMAN RESOURCES, AND OFFICE OF MANAGEMENT AND BUDGET COMPLETE A FEASIBILITY STUDY REGARDING THE INCORPORATION OF CERTAIN HEALTH INSURANCE BENEFITS FOR RETIREES INTO THE PROPOSED REGIONAL HEALTH CARE CONSORTIUM

 Introduced: 5/13/19
 By Messrs. Commisso, A. Joyce, Feeney, Clay, Beston, Miller, Smith and Ms. McKnight:

 WHEREAS, Albany County is currently involved in and is coordinating with partner municipalities in the region regarding the establishment of a municipal Health Care Consortium through which all municipalities involved (herein "participating municipalities") may benefit financially, and

 WHEREAS, The County Executive and the Albany County Legislature believe that upon the establishment of the aforementioned Health Care Consortium the County will benefit from the inter-municipal collaboration of various entities in order to obtain favorable health insurance benefits and plans for their employees at a lower cost, and

 WHEREAS, The Albany County Legislature recognizes the importance of incorporating health insurance benefits for retirees as one of the significant goals that may be accomplished through the collective actions of those participating municipalities coordinating through the Health Care Consortium, and

 WHEREAS, The Albany County Legislature seeks to incorporate health insurance benefits for retirees into the Health Care Consortium in a way which attracts experienced employees who have previously worked for participating municipalities who seek employment with the County, and

 WHEREAS, Unlike the New York State Local Retirement System, which allows for employees to accrue credit for time served in various local and municipal entities into one central retirement plan, employees working for local municipalities have no ability to transfer or gain credit for work performed for another municipality towards a central health insurance plan in retirement, and

 WHEREAS, In order to encourage the broadest group of applicants with significant experience in municipal government to seek County employment, this Honorable Body seeks to recognize time accrued by employees in service to
participating municipalities for the purpose for receiving health insurance benefits in retirement from Albany County, and

WHEREAS, The aforementioned recognition of time accrued will be contingent upon participating municipalities reciprocal recognition of time accruals from qualifying Albany County employees into their own respective health insurance retirement plans should such employees seek employment with that municipality, now, therefore, be it

RESOLVED, That the Albany County Legislature hereby requests the County Executive, in conjunction with the Commissioners of the Department of Human Resources and the Office of Management and Budget complete a study which considers the feasibility of allowing employees to transfer time accrued between participating municipalities for the limited purpose of receiving credit toward health insurance benefits in retirement, and, be it further

RESOLVED, That said feasibility study shall consider financial and personnel implications to Albany County, including potential impacts for transfer of part-time and full-time hours worked in participating municipalities, and, be it further

RESOLVED, That said feasibility study shall also consider the propriety of applying the aforementioned time transfer to all active Albany County employees with a history of employment with participating municipalities, and, be it further

RESOLVED, That this Honorable Body requests that said report and the related finding be returned by the County Executive within ninety (90) days of the date that this resolution is adopted, 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.

Referred to Personnel and Audit and Finance Committees - 5/13/19
Favorable Recommendation Personnel Committee – 5/29/19
Favorable Recommendation Audit and Finance Committee - 5/29/19
RESOLUTION NO. 223

CREATING A FACILITIES CONDITION ASSESSMENT COMMITTEE

Introduced: 5/13/19
By: Mr. Burgdorf

WHEREAS, The County of Albany has multiple buildings and facilities used by its employees and the public on a daily basis, and

WHEREAS, The Department of General Services has the responsibility to manage and maintain County buildings and real property, and

WHEREAS, Facilities Condition Assessments ("FCA") are a method by which repairs, deferred maintenance, and capital improvements to buildings and facilities can be identified and tracked, and

WHEREAS, FCA's are often conducted by outside vendors, but the County may have the expertise in-house to conduct FCA's, and

WHEREAS, FCA's can be conducted using a variety of different strategies and methodologies that can develop capital project estimates, identify building code and safety compliance issues, and create preventative maintenance programs for the County's expansive building and facility portfolio, and

WHEREAS, It would be prudent to establish an internal committee to decide how the County should proceed with FCA's of its buildings and facilities, rather than simply hiring an outside firm as the first step, now, therefore be it

RESOLVED, That a Facilities Condition Assessment Committee be, and hereby is created, and, be it further

RESOLVED, That the membership of said committee shall consist of two (2) legislators from the Public Works and/or Audit and Finance Committees of which one (1) shall be selected by the Majority Leader and one (1) by the Minority Leader, the Commissioner of the Department of General Services or her/his designee, the Commissioner of the Department of Public Works or her/his designee, the Commissioner of the Department of Management and Budget or her/his designee, and the Director of Purchasing or her/his designee, with the committee voting upon its own chairperson by a majority vote, and, be it further

RESOLVED, That the information to be garnered from this Committee's work shall have an impact on the budget of the County of Albany therefore a report from said Committee to the Public Works Committee and the Audit and Finance
Committee shall be provided by September 30, 2019 and said report shall include a list of all County buildings and facilities and its recommendations on how the County of Albany should proceed with Facility Condition Assessments of said buildings and facilities, 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.

Referred to Public Works and Law Committees - 5/13/19
Favorable Recommendation Public Works Committee – 5/28/19
Favorable Recommendation Law Committee – 5/30/19
RESOLUTION NO. 224

AUTHORIZING A LEASE AGREEMENT WITH CAPITAL DISTRICT PHYSICIANS HEALTH PLAN REGARDING CORPORATE SUITE NO. 23 AT THE TIMES UNION CENTER

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, Capital District Physicians Health Plan, 500 Patroon Creek Boulevard, Albany, New York 12206 (Suite holder) has indicated an interest in the renewal of a lease for Corporate Suite No. 23 at the Times Union Center in accordance with terms and conditions approved by the County Attorney, and

WHEREAS, The Suite holder has agreed to pay an annual rental fee of $20,500 for said suite, and

WHEREAS, The Suite holder has also agreed to pay $30,500 annually for advertising within the Arena, and

WHEREAS, Annual payments totaling $51,000 are to be made as follows: a $20,500 payment on or before July 1st preceding the contract year, and the remaining $30,500 payment is due on or before December 15th during each contract year, and

WHEREAS, The term of said lease shall be for a three (3) year period, commencing on September 1, 2019 and ending on August 31, 2022, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the aforesaid Suite holder to lease Corporate Suite No. 23 at the Times Union Center pursuant to the aforesaid terms, and, be it further

RESOLVED, That the County Attorney is authorized to approve said lease agreement as to form and content prior to the execution thereof, 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. 225

AUTHORIZING A LEASE AGREEMENT WITH SCHENECTADY HARDWARE AND ELECTRIC CO., INC. REGARDING CORPORATE SUITE NO. 18 AT THE TIMES UNION CENTER

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, Schenectady Hardware and Electric Co., Inc. 155 Erie Boulevard, Schenectady, New York 12301 (Suite holder) has indicated an interest in the renewal of a lease for Corporate Suite No. 18 at the Times Union Center in accordance with terms and conditions approved by the County Attorney, and

WHEREAS, The Suite holder has agreed to pay an annual rental fee of $20,500 for said suite, and

WHEREAS, The Suite holder has also agreed to pay $30,500 annually for advertising within the Arena, and

WHEREAS, Annual payments totaling $51,000 are to be made as follows: a $20,500 payment on or before July 1st preceding the contract year, and the remaining $30,500 payment is due on or before December 15th during each contract year, and

WHEREAS, The term of said lease shall be for a three (3) year period, commencing on September 1, 2019 and ending on August 31, 2022, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the aforesaid Suite holder to lease Corporate Suite No. 18 at the Times Union Center pursuant to the aforementioned terms, and, be it further

RESOLVED, That the County Attorney is authorized to approve said lease agreement as to form and content prior to the execution thereof, 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. 226

AUTHORIZING LEASE AGREEMENTS WITH BBL CONSTRUCTION SERVICES, LLC AND MANUFACTURERS AND TRADERS TRUST COMPANY REGARDING CORPORATE SUITE NO. 1 AT THE TIMES UNION CENTER

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, BBL Construction Services, LLC, 302 Washington Avenue Extension, Albany, New York 12212 and Manufacturers & Traders Trust Company, 327 Great Oaks Blvd., Albany, New York 12203 (Suite holders) have indicated an interest in the renewal of a lease for Corporate Suite No. 1 at the Times Union Center in accordance with terms and conditions approved by the County Attorney, and

WHEREAS, The Suite holders have agreed to pay an annual rental fee of $20,500 for said suite, and

WHEREAS, The Suite holders have also agreed to pay $30,500 annually for advertising within the Arena, and

WHEREAS, Annual payments totaling $51,000 are to be made as follows: a $20,500 payment on or before July 1st preceding the contract year, and the remaining $30,500 payment is due on or before December 15th during each contract year, and

WHEREAS, The term of said lease shall be for a three (3) year period, commencing on September 1, 2019 and ending on August 31, 2022, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the aforesaid Suite holders to lease Corporate Suite No. 1 at the Times Union Center pursuant to the aforementioned terms, and, be it further

RESOLVED, That the County Attorney is authorized to approve said lease agreement as to form and content prior to the execution thereof, 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. 227

AUTHORIZING AN AGREEMENT WITH RIFENBURG CONTRACTING CORP. REGARDING VARIOUS PROJECTS IN THE TOWNS OF WESTERLO, RENSSELAERVILLE, AND COEYMAN

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Rifenburg Contracting Corp. for the construction of large culverts in various locations in the Towns of Westerlo, Rensselaerville, and Coeymans in the amount of $1,547,647 for the term commencing July 1, 2019 and ending October 31, 2020, and

WHEREAS, The Commissioner indicated that the work includes replacement of the existing two adjacent corrugated metal pipe culverts on CR412 in the Town of Westerlo, replacement of the existing box culvert on CR404 in the Town of Westerlo, replacement of existing corrugated metal pipe culvert on CR358 along with associated highway reconstruction in the Town of Rensselaerville, and replacement of existing concrete box culvert on CR106 along with associated highway reconstruction in the Town of Coeymans, and

WHEREAS, The Department of Public Works, through the County Purchasing Agent, issued a request for bids and, on May 6, 2019, three bids were received pertaining to the project, and

WHEREAS, The Department of Public Works engineering staff along with Creighton Manning Engineering reviewed said bids and recommended awarding the contract to Rifenburg Contracting Corp. as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Rifenburg Contracting Corp., Troy, New York 12180 in amount not to exceed $1,547,647 for the construction of large culverts in various locations in the Towns of Westerlo, Rensselaerville, and Coeymans for the term commencing July 1, 2019 and ending October 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 228

AUTHORIZING AN AGREEMENT WITH TIOGA CONSTRUCTION CO., INC. REGARDING THE SUPERSTRUCTURE REPLACEMENT PROJECT OF CR253 (BOZENKILL RD) OVER NORFOLK SOUTHERN RAILROAD IN THE TOWN OF KNOX

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Tioga Construction Co., Inc. for construction of the Superstructure Replacement Project of CR253 (Bozenkill Rd.) over Norfolk Southern Railroad in the Town of Knox in the amount of $1,020,711 for the term commencing July 1, 2019 and ending October 31, 2020, and

WHEREAS, The Commissioner indicated that the work includes removing the existing simple span pre-stressed concrete box beam superstructure and replacing it with a new 90' – 10" single span steel multi-girder superstructure with a reinforced concrete composite deck as a full detour will be in place for the duration of the construction, and

WHEREAS, The Department of Public Works, through the County Purchasing Agent, issued a request for bids and, on April 25, 2019, three bids were received pertaining to the project, and

WHEREAS, The Department of Public Works engineering staff along with CHA Consulting, Inc. reviewed said bids and recommended awarding the contract to Tioga Construction Co., Inc. as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tioga Construction Co., Inc., Herkimer, New York 13350, for construction of the Superstructure Replacement Project of CR253 (Bozenkill Rd.) over Norfolk Southern Railroad in the Town of Knox in an amount not to exceed $1,020,711 for the term commencing July 1, 2019 and ending October 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 229

AUTHORIZING AN AGREEMENT WITH DLC ELECTRIC, LLC REGARDING THE INSTALLATION OF BOLLARDS IN FRONT OF THE TIMES UNION CENTER

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with DLC Electric, LLC regarding the installation of removable bollards at the Times Union Center in the amount of $201,830 for the term commencing July 1, 2019 and ending August 31, 2019, and

WHEREAS, The Department through the Purchasing Agent issued a request for bids regarding the Installation of Removable Bollards for the Times Union Center and one bid was received, and

WHEREAS, The County's consultant, Greenman-Pedersen, Inc., has reviewed said bid and recommended awarding the contract to DLC Electric, LLC as the sole bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with DLC Electric, LLC, Troy, NY 12182 regarding the installation of removable bollards at the Times Union Center in an amount not to exceed $201,830 for the term commencing July 1, 2019 and ending August 31, 2019, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 230

DECLARING ALBANY COUNTY LEAD AGENCY FOR THE PURPOSE OF STATE ENVIRONMENTAL QUALITY REVIEW FOR THE ALBANY COUNTY RAIL TRAIL BRIDGE OVER NEW SCOTLAND ROAD PROJECT

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, Pursuant to Resolution No. 81 for 2019 this Honorable Body authorized the Department of Public Works and the Department of Economic Development, Conservation, and Planning (“Planning Department”) to take initial review actions in order to seek lead agency status regarding the Albany County Rail Trail Bridge over SR 85 (New Scotland Road) Bridge Replacement project, including providing the required notice to all interested parties, and

WHEREAS, The requisite notice has been provided to all interested parties who may be effected by the project, and the County of Albany has received comments from those interested parties, and

WHEREAS, Under Part 617 of Title 6 of the New York Code of Rules and Regulations, the State Environmental Quality Review Act (“SEQRA”), it is necessary for a lead agency to be established for the review of the project and for the action to be classified as Type I, Type II or unlisted, and

WHEREAS, The proposed action noted above is considered a Type I action pursuant to SEQRA and therefore requires that a lead agency be designated, and

WHEREAS, Albany County, as the municipal government in which the project shall be located, and which will be undertaking the project for the benefit of the health, safety and welfare of Albany County residents, is the suitable agency for undertaking, funding and approving the project, now, therefore be it

RESOLVED, By the Albany County Legislature that Albany County hereby declares itself lead agency for the environmental review of the project pursuant to SEQRA, and, be it further

RESOLVED, That Albany County, as the lead agency pursuant to SEQRA, has classified the above action for the project as a Type I action pursuant to SEQRA §617, and, be it further

RESOLVED, That the Chair of the Legislature is hereby authorized and directed to sign and file any documents that may be necessary to comply with SEQRA regarding the project, 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. 231

AUTHORIZING AN AGREEMENT WITH ATLANTIC PAVEMENT MARKING, INC. REGARDING THE STRIPING OF VARIOUS COUNTY HIGHWAYS

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, After an RFB process, the Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Atlantic Pavement Marking, Inc. as the lowest responsible bidder regarding material, labor and equipment necessary for the striping of Albany County roadways in the amount of $183,771 for the term commencing July 1, 2019 and ending June 30, 2020 with two one-year options to renew, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Atlantic Pavement Marking, Inc., Prospect, CT 06712 regarding material, labor and equipment necessary for the striping of Albany County roadways in an amount not to exceed $183,771, at the unit costs set forth for the term commencing July 1, 2019 and ending June 30, 2020 with two one-year options to renew:

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Unit Cost</th>
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<tbody>
<tr>
<td>8&quot; Wide Yellow Hatch Line</td>
<td>$0.55 per foot</td>
</tr>
<tr>
<td>12&quot; Wide Yellow Hatch Line</td>
<td>$0.65 per foot</td>
</tr>
<tr>
<td>24&quot; Wide Yellow Hatch Line</td>
<td>$0.75 per foot</td>
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<tr>
<td>8&quot; Wide White Crosswalk</td>
<td>$0.40 per foot</td>
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<tr>
<td>12&quot; Wide White Crosswalk</td>
<td>$0.65 per foot</td>
</tr>
<tr>
<td>8' High White Word &quot;STOP&quot;</td>
<td>$40.00 each</td>
</tr>
<tr>
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and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 232

AMENDING THE 2019 DEPARTMENT OF PUBLIC WORKS BUDGET: CONSOLIDATED LOCAL STREET AND HIGHWAY IMPROVEMENT PROGRAM (CHIPS)

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The County has been informed by the New York State Department of Transportation that the County has a rollover amount of $4,680,984 remaining in the State Fiscal Year (SFY) 2019-2020 allotment of Consolidated Local Street and Highway Improvement Program (CHIPS) funds, and

WHEREAS, The remaining $1,150,677 in SFY 2019-2020 rollover CHIPS Capital Reimbursement funds has not been previously accounted as revenue for 2019 or 2020, and

WHEREAS, The Commissioner of the Department of Public Works has requested a budget amendment in order to utilize the remaining rollover funds in the Department Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Department of Public Works Budget is amended as follows:

Increase Revenue Account D3591 Highway Capital Project by $1,150,677

Increase Appropriation Account D5112.4 by $1,150,677 by increasing Line Item D5112 4 4075 Bridge and Road Repair by $1,150,677

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. 233

AUTORIZING AN AGREEMENT WITH ARCHITECTURE+ REGARDING ENGINEERING AND CONSTRUCTION CONSULTING SERVICES FOR RENOVATIONS AT THE TIMES UNION CENTER

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of General Services has requested authorization to enter into an agreement with Architecture+ regarding engineering and construction consulting services for renovations at the Times Union Center in the amount of $104,219 for the term commencing June 10, 2019 and ending December 10, 2020, and

WHEREAS, The Department of General Services, through the County Purchasing Agent, issued a request for bids and, on April 17, 2019, six bids were received pertaining to the project, and

WHEREAS, The County Purchasing Agent reviewed said bids and recommended awarding the contract to Architecture+ as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Architecture+, Troy, NY 12180 regarding engineering and construction consulting services for renovations at the Times Union Center in an amount not to exceed $104,219 for the term commencing June 10, 2019 and ending December 10, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 234

AUTHORIZING AN AGREEMENT WITH NATIONAL BUSINESS TECHNOLOGIES REGARDING LEASE AND MAINTENANCE SERVICES FOR COUNTY COPIERS

Introduced: 6/10/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of General Services has requested authorization to enter into a four-year agreement with National Business Technologies regarding lease and maintenance services for County copiers in the amount of $230,457 for the term commencing August 1, 2019 and ending July 30, 2023, and

WHEREAS, The Department of General Services, through the County Purchasing Agent, utilizing Kyocera’s national Cooperative Purchasing Network, has recommended National Business Technologies regarding the aforementioned services for various county departments, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a four-year agreement with National Business Technologies, Albany, NY 12206 regarding lease and maintenance services for County copiers in an amount not to exceed $230,457 for the term commencing August 1, 2019 and ending July 30, 2023, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 235

AMENDING RESOLUTION NO. 512 FOR 2018 REGARDING THE ALBANY COUNTY EQUITY AGENDA

Introduced: 6/10/19
By Social Services Committee:

WHEREAS, By Resolution No. 512 for 2018, this Honorable Body authorized an agreement with the SUNY Center for Human Services Research regarding the further development of the County’s equity agenda in the amount of $45,195 for the term commencing January 1, 2019 and ending June 30, 2019, and

WHEREAS, The County Executive has requested an amendment to the aforementioned agreement to allow departments to develop the most relevant and complete equity strategic plan possible and to indicate an ending date of September 30, 2019 rather than June 30, 2019, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 512 for 2018 regarding the further development of the County’s equity agenda is amended to indicate an ending date of September 30, 2019 rather than June 30, 2019, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 236

AMENDING RESOLUTION NO. 137 FOR 2019 REGARDING HOMELESS SHELTER SERVICES IN ALBANY COUNTY

Introduced: 6/10/19
By Social Services Committee:

WHEREAS, By Resolution No. 137 for 2019, this Honorable Body authorized the submission of a grant application and agreements with New York State Office of Temporary Disability, Interfaith Partnership for the Homeless, and Homeless and Traveler’s Aid Society regarding Executive Order 151 and the provision of additional housing shelter services, and Albany County’s receipt of $15,000 in supplemental grant funding for reimbursements associated with the housing of individuals who would not have been otherwise eligible for temporary housing if not for Executive Order 151, and

WHEREAS, The Department of Social Services has expended an additional $17,438 for motel and overflow shelter services for individuals who would not have been eligible for temporary housing assistance if not for Executive Order 151, and

WHEREAS, The Commissioner of the Department of Social Services has requested an amendment to the funding to be received by Albany County in the amount of $17,438, for a total amount of $32,438 rather than $15,000, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 137 for 2019 is amended to indicate a total amount of $32,438 rather than $15,000 in supplemental grant funding to be received by Albany County for reimbursements associated with the housing of individuals who would not have been otherwise eligible for temporary housing if not for Executive Order 151, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials
RESOLUTION NO. 237

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES REGARDING OPIOID RESPONSE FUNDS

Introduced: 6/10/19
By Health Committee:

WHEREAS, By Resolution No. 90 for 2019, this Honorable Body authorized the submission of a grant application to the New York State Office of Alcoholism and Substance Abuse Services (OASAS) regarding an Opioid Response Grant in an amount up to $150,000, and

WHEREAS, The Director of the Albany County Department of Mental Health has been notified that additional Opioid Response Grant funds have been made available through OASAS, and

WHEREAS, The Director has requested authorization to submit an application to OASAS regarding additional Opioid Response Grant funding in the amount of $250,000, and

WHEREAS, The Director has indicated that the additional funding will be used to develop outreach and engagement services in order to reach populations that have historically been difficult to engage, build partnerships with the provider community to enhance services countywide, provide community education, and improve access to resources for individuals with opioid use disorder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to OASAS regarding additional Opioid Response Grant funding in the amount of $250,000, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 238

AUTHORIZING AGREEMENTS WITH THE CAPITAL BEHAVIORAL HEALTH NETWORK, LLC REGARDING MANAGED MEDICAID CONTRACTS

Introduced: 6/10/19
By Health Committee:

WHEREAS, By Resolution No. 487 for 2017, this Honorable Body authorized an enrollment agreement with the Capital Region Behavioral Health Care Collaborative, and

WHEREAS, The Director of the Albany County Department of Mental Health (ACDMH) has requested authorization to enter into agreements with the Capital Behavioral Health Network, LLC (CBHN) for a term commencing July 1, 2019 and ending June 30, 2022 in order to become a participating member of the Capital Behavioral Health Collaborative, Inc. to prepare for entering into managed Medicaid contracts with value-based payment arrangements, and

WHEREAS, The Director of the ACDMH has indicated that it is necessary for the Department to enter into a joinder agreement with the Capital Behavioral Health Network, LLC which will allow the ACDMH to participate as a Class C member in the Capital Behavioral Health Collaborative, Inc., and

WHEREAS, The Director has further indicated that it is necessary for the Department to enter into a business associate agreement with the Capital Behavioral Health Network, LLC which will allow ACDMH to share confidential medical information with the Capital Behavioral Health Collaborative, Inc., and

WHEREAS, The Director has further indicated that these agreements will allow the CBHN to negotiate and manage value-based payment contracts for Medicaid services on behalf of ACDMH, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into the aforementioned agreements with the Capital Behavioral Health Network, LLC (CBHN) for a term commencing July 1, 2019 and ending June 30, 2022 in order to prepare for entering into managed Medicaid contracts with value-based payment arrangements, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 239

AUTHORIZEDS THE DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF CASEWORKER, STAFF SOCIAL WORKER AND SPECIAL EDUCATION EVALUATOR

Introduced: 6/10/19
By Personnel Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families ("the Department") has diligently sought qualified applicants for the positions of Caseworker, Staff Social Worker and Special Education Evaluator, and

WHEREAS, The Commissioner has indicated the Department has not been able to locate qualified applicants who are residents of Albany County and willing to accept the position, and

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied that there exists a shortage of qualified Albany County residents to fill the positions of Caseworker, Staff Social Worker and Special Education Evaluator and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given for a 12-month period in order to fill such position on the condition that such employee(s) are required to move into the County within one year of their start date, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill the positions of Caseworker, Staff Social Worker and Special Education Evaluator are hereby approved in accordance with the requirements of Resolution No. 245-C for 1995 for a 12-month period in order to fill such position on the condition that said employee(s) are required to move into Albany County within one year of their start date, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for these positions shall expire June 1, 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. 240

AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF PSYCHOLOGIST, STAFF SOCIAL WORKER AND PSYCHIATRIC NURSE

Introduced: 6/10/19
By Personnel Committee:

WHEREAS, The Director of the Department of Mental Health ("the Department") has diligently sought qualified applicants for the positions of Psychologist, Staff Social Worker and Psychiatric Nurse, and

WHEREAS, The Director has indicated the Department has not been able to locate qualified applicants who are residents of Albany County and willing to accept the positions, and

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied that there exists a shortage of qualified Albany County residents to fill the positions of Psychologist, Staff Social Worker and Psychiatric Nurse and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given for a 12-month period in order to fill such position on the condition that such employee(s) are required to move into the County within one year of their start date, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill the positions of Psychologist, Staff Social Worker and Psychiatric Nurse are hereby approved in accordance with the requirements of Resolution No. 245-C for 1995 for a 12-month period in order to fill such position on the condition that said employee(s) are required to move into Albany County within one year of their start date, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for these positions shall expire June 1, 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. 241

AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF REGISTERED NURSE

Introduced: 6/10/19
By Personnel Committee:

WHEREAS, The Commissioner of the Department of Social Services ("the Department") has diligently sought qualified applicants for the position of Registered Nurse, and

WHEREAS, The Commissioner has indicated the Department has not been able to locate qualified applicants who are residents of Albany County and willing to accept the positions, and

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied that there exists a shortage of qualified Albany County residents to fill the position of Registered Nurse and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given in order to fill such positions, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill the positions of Registered Nurse is hereby approved in accordance with the requirements of Resolution No. 245-C for 1995 in order to fill such position, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for these positions shall expire June 1, 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. 242

AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE CRIMES AGAINST REVENUE PROGRAM

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The District Attorney's Office has requested authorization to apply for grant funding and to enter into an agreement with the New York State Division of Criminal Justice Services regarding the Crimes Against Revenue Program in the amount of $299,710 for a term commencing January 1, 2019 and ending December 31, 2019, and

WHEREAS, The District Attorney's Office has indicated that the Crimes Against Revenue Program funding will facilitate the investigation and prosecution of those who commit crimes against State revenues, such as criminal failure to pay tax obligations associated with legal and illegal activities, and include specific and general deterrence of such crimes and the payment of restitution to New York State, and

WHEREAS, The District Attorney has requested a budget amendment in order to incorporate a portion of the funding that will be received, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to apply for grant funding and enter into an agreement with the New York State Division of Criminal Justice Services regarding the Crimes Against Revenue Program in the amount of $299,710 for a term commencing January 1, 2019 and ending December 31, 2019, and, be it further

RESOLVED, By the Albany County Legislature that the 2019 District Attorney's Budget is amended as follows:

Increase Revenue Account A3335 Crimes Against Revenue Grant by $13,010

Increase Appropriation Account A1165.1 by $759 by increasing Line Item A1165 1 4020 001 Criminal Forensic Auditor by $759 with an annual salary of $65,705

Increase Appropriation Account A1165.2 by $12,250 by increasing Line Item A1165 2 2050 Computer Equipment by $12,250

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 243

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE GUN INVOLVED VIOLENCE ELIMINATION INITIATIVE AND AMENDING THE 2019 DISTRICT ATTORNEY’S OFFICE BUDGET

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The District Attorney’s Office has requested authorization to submit a grant application and enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination Initiative (“GIVE”) grant in the amount of $236,740 for a term commencing July 1, 2019 and ending June 30, 2020, and

WHEREAS, The District Attorney’s Office has indicated that a portion of the funding received from the New York State Division of Criminal Justice Services regarding the GIVE grant will be used to fund a newly created Community Prosecution Coordinator position, and

WHEREAS, The District Attorney has requested a budget amendment in order to incorporate a portion of the funding that will be received related to the aforementioned position, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application and enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination Initiative grant in the amount of $236,740 for a term commencing July 1, 2019 and ending June 30, 2020, and, be it further

RESOLVED, By the Albany County Legislature that the 2019 District Attorney’s Budget is amended as follows:

Increase Revenue Account A3334 Operation GIVE by $29,857

Create and Increase Appropriation Account A1165.1 by $22,975 by creating and increasing Line Item A1165 1 4923 002 Community Prosecution Coordinator by $22,975 with an annual salary of $45,949

Increase Appropriation Account A1165.8 by $6,882 by increasing Line Items: A1165 8 9060 Health and Medical Insurance by $2,294; A1165 8 9010 State Retirement by $2,294; and
and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 244

AMENDING THE 2019 DISTRICT ATTORNEY'S BUDGET: SALARY ADJUSTMENT

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, NYS Judiciary Law §183-a provides that the salary of the District Attorney shall be the same as a County Judge, and

WHEREAS, Chapter 60 of the Laws of 2015 of the State of New York provides phased-in salary increases over four fiscal years, starting on April 1, 2016, with an additional salary increase in fiscal year 2019, and

WHEREAS, The District Attorney has requested a budget amendment in order to appropriate $2,047 of funding for an increase in salary retroactive to April 1, 2019, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 District Attorney's Budget is amended as follows:

Decrease Appropriation Account A1165.8 by $2,047 by decreasing Line Item A1165 8 9060 Hospital and Medical Insurance by $2,047

Increase Appropriation Account A1165.1 by $2,047 by increasing Line Item A1165 1 0113 001 District Attorney by $2,047 with an annual salary of $202,800

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 245

AUTHORIZING 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

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The County Executive and the Albany County Sheriff have requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the State Homeland Security Program (SHSP) / State Law Enforcement Terrorism Prevention Program (SLETPP), and

WHEREAS, The County Executive and Sheriff have indicated that such funding would be used to sustain health preparedness programs, update county cybersecurity and information systems and strengthen counter-terrorism and law enforcement programs, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the State Homeland Security and State Law Enforcement Terrorism Prevention Programs, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 246

AUTHORIZING THE ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION MULTI-MODAL GRANT FUNDING REGARDING TRAFFIC CONTROL IMPROVEMENTS ON ALBANY SHAKER ROAD AND AMENDING THE 2019 ALBANY COUNTY BUDGET

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, Albany County has been notified by the New York State Department of Transportation that funding from the Multi-Modal Grant in the amount of $125,000 has been awarded to Albany County regarding traffic control improvements on Albany Shaker Road, and

WHEREAS, Such grant funding will support the installation of a new traffic signal at the intersection of Albany Shaker Road and Shaker El, as well as other related improvements, and

WHEREAS, A budget amendment is necessary to incorporate said funding into the 2019 Albany County Budget, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to accept the New York State Department of Transportation Multi-Modal Grant funding in the amount of $125,000 regarding traffic control improvements on Albany Shaker Road in Albany County, and, be it further

RESOLVED, That the 2019 Albany County Budget is hereby amended as follows:

Increase Revenue Account D2770 Other Unclassified Revenues by $125,000

Increase Appropriation Account D5110.4 by $125,000 by increasing Line Item 5110 4 4046 Fees for Services by $125,000

and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 247

AMENDING THE 2019 ALBANY COUNTY BUDGET: SALARY ADJUSTMENTS

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The Commissioner of the Department of Management and Budget has requested salary adjustments for various positions throughout Albany County, and

WHEREAS, The Commissioner has indicated that the requested budget amendments are necessary to implement previously negotiated step increases or in order to aid with staff retention in various positions, now, therefore be it

RESOLVED, That the 2019 Albany County Budget is hereby amended as reflected in the spreadsheet annexed hereto, and, be it further

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

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**TOTAL APPROPRIATIONS**

$ 22,906 $ 24,700

### Estimated Revenues

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<th>ACCOUNT NO.</th>
<th>RESOLUTION DESCRIPTION</th>
<th>DECREASE</th>
<th>INCREASE</th>
<th>DEPARTMENT NAME</th>
</tr>
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<tbody>
<tr>
<td>A 6010 0</td>
<td>Social Services Admin - State</td>
<td>$ 812</td>
<td>$ 4,348,315</td>
<td>Social Services</td>
</tr>
<tr>
<td>A 6010 0</td>
<td>Social Services Admin - Federal</td>
<td>$ 2,606</td>
<td>$ 12,461,295</td>
<td>Social Services</td>
</tr>
</tbody>
</table>

**TOTAL ESTIMATED REVENUES**

$ 2,606 $ 812

**GRAND TOTALS**

$ 25,512 $ 25,512
RESOLUTION NO. 248

AUTHORIZING THE EXECUTION OF AN OPTION AGREEMENT WITH ST. CATHERINE’S CENTER FOR CHILDREN REGARDING THE PURCHASE OF REAL PROPERTY LOCATED AT 543 NORTH PEARL STREET (TAX MAP NO. 65.44-1-4) IN THE CITY OF ALBANY

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 212 for 2017, this Honorable Body authorized a license and option agreement with St. Catherine’s Center for Children (“St. Catherine’s”) regarding the purchase of real property located at 543 North Pearl Street (Tax Map No. 65.44-1-4) in the City of Albany for the purpose of supportive housing and ancillary community programs, and

WHEREAS, The option agreement provided for a purchase price of one hundred dollars ($100) upon execution of the option to purchase, subject to St. Catherine’s obtaining the necessary financing and government approvals for supportive housing and ancillary community programs to be provided at the site, and

WHEREAS, Pursuant to Resolution No. 153 for 2018, this Honorable Body authorized an amendment to the above referenced agreement which granted St. Catherine’s an extension to July 31, 2019 rather than July 23, 2018 to execute the option agreement in order to satisfy certain capital funding requirements of the New York State Office of Temporary Disability Assistance, and

WHEREAS, St. Catherine’s has notified Albany County of the award of funding from the New York State Office of Temporary Disability Assistance for the demolition of the current site and new construction of supportive housing units at said location, as well as approval from the City of Albany regarding the project, and

WHEREAS, The County Executive has requested authorization to execute the option agreement with St. Catherine’s regarding the conveyance of 543 North Pearl Street (Tax Map No. 65.44-1-4) in the City of Albany to St. Catherine’s in relation to the aforementioned supportive housing and ancillary community programs, now, therefore be it
RESOLVED, By the Albany County Legislature, that the County Executive is authorized to execute said option agreement with St. Catherine’s Center for Children, Albany, New York 12203 regarding the conveyance of 543 North Pearl Street (Tax Map No. 65.44-1.4) in the City of Albany in the amount of one hundred dollars ($100) regarding supportive housing and ancillary community programs, 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 Legislature is hereby directed to forward certified copies of this resolution to St. Catherine’s Center for Children and the appropriate County Officials.
RESOLUTION NO. 249

AUTHORIZING AN AGREEMENT WITH THE ALBANY COUNTY LAND BANK CORPORATION REGARDING E-PROPERTYPLUS SOFTWARE

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The Commissioner of the Department of Management and Budget has requested authorization to enter into a Memorandum of Understanding with the Albany County Land Bank Corporation (the “Land Bank”) regarding access and use of their ePropertyPlus software, and

WHEREAS, The Commissioner has indicated that ePropertyPlus software will allow Albany County and the Land Bank to process information regarding transferable property more quickly and efficiently, reducing the time needed to prepare and manage documents necessary for the transfers, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is hereby authorized to enter into an agreement with the Land Bank regarding the use of ePropertyPlus software in an amount not to exceed $6,078 for a term commencing June 18, 2019 and ending January 18, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 250

AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY TO THE ALBANY COUNTY LAND BANK CORPORATION

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to 45 parcels of real property in the Cities of Albany and Cohoes and the Towns of Berne, Bethlehem, Colonie, Knox and New Scotland, and

WHEREAS, The Albany County Land Bank Corporation (the “Land Bank”) has expressed an interest in acquiring these 45 parcels of real property to carry out its mission to revitalize and build communities, and

WHEREAS, It is in the best interests of County taxpayers to support the Land Bank in its efforts to develop affordable housing as a means to stabilize the neighborhood, encourage further development and return properties to the tax rolls, and

WHEREAS, Pursuant to the Albany County Disposition Plan adopted per Resolution No. 29 for 2019, the Albany County Department of Management and Budget has forwarded a spreadsheet detailing such parcels for conveyance to the Land Bank as annexed hereto, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey the parcels of real property located in the Cities of Albany and Cohoes and the Towns of Berne, Bethlehem, Colonie, Knox and New Scotland, as indicated on the spreadsheet annexed hereto, to the Land Bank, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 251

RESCINDING THE CONVEYANCE OF REAL PROPERTY PURSUANT TO RESOLUTION NO 271 FOR 2018 AND AUTHORIZING THE CONVEYANCE OF 182 BREVATOR STREET (TAX MAP NO. 53.82-1-9) IN THE CITY OF ALBANY

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, Per Resolution No. 271 for 2018, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure located in the City of Albany to the Albany County Land Bank Corporation (the “Land Bank”), and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to previous property owners, and

WHEREAS, Clara Galus, the previous owner of the property, has expressed an interest in acquiring the parcel and has offered to pay all the back taxes and fees due for the property, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 271 for 2018 is hereby amended by rescinding the authorization to convey 182 Brevator Street in the City of Albany, and be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 182 Brevator Street (Tax Map No. 53.82-1-9) in the City of Albany to Clara Galus for the amount of all back taxes and fees due on such parcel, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 252

AUTHORIZING A CORRECTION TO THE TAX ROLLS FOR THE CITY OF ALBANY

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, This Legislative Body has received 1 application from the Director of the Real Property Tax Service Agency for corrections of real property taxes, and

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

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

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>CITY OR TOWN</th>
<th>DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</th>
<th>REASON FOR CORRECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trey Kingston</td>
<td>City of Albany</td>
<td>118 Arch Street</td>
<td>Clerical Error</td>
</tr>
<tr>
<td>Assessor</td>
<td>Tax Map #76.57-4-9</td>
<td>2019 Collection</td>
<td></td>
</tr>
</tbody>
</table>

and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 253

AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE CITY OF ALBANY

Introduced: 6/10/19
By Audit and Finance Committee:

WHEREAS, This Legislative Body has received 2 applications from the Director of the Real Property Tax Service Agency for refunds of real property taxes, and

WHEREAS, These applications have been investigated by the Director who recommends to this Honorable Body that the Tax Rolls involved be corrected, and refunds be made due to unlawful entries made pursuant to RPTL 556, now, therefore be it

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

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</th>
<th>AMOUNTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trey Kingston Assessor</td>
<td>37 Buell Street&lt;br&gt;Tax Map #53.82-2-13&lt;br&gt;2019 Collection</td>
<td>$287.93</td>
</tr>
<tr>
<td>Trey Kingston Assessor</td>
<td>8 Harding Street&lt;br&gt;Tax Map #64.79-1-42&lt;br&gt;2019 Collection</td>
<td>$1,365.04</td>
</tr>
</tbody>
</table>

and, be it further

RESOLVED, Said corrections shall be in accordance with Form RP-556 as submitted with favorable recommendations by the Director in accordance with the provisions of the New York State Real Property Tax Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 254

AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH INFO QUICK SOLUTIONS, INC. REGARDING AN INDEXING, CASHIERING AND SCANNING SYSTEM FOR THE COUNTY CLERK’S OFFICE

Introduced: 6/10/19
By Law Committee:

WHEREAS, By Resolution No. 170 for 2015, this Honorable Body authorized an agreement with Info Quick Solutions, Inc. regarding an indexing, cashiering, and scanning system for the Albany County Clerk’s office for a three-year term with two one-year renewal options, and

WHEREAS, By Resolution No. 187 for 2018, this Honorable Body authorized the exercise of the first of two one-year options to renew the agreement with Info Quick Solutions, Inc., and

WHEREAS, The Albany County Clerk has requested authorization to exercise the second of two one-year options to renew the agreement with Info Quick Solutions, Inc. regarding the indexing, cashiering, and scanning system for the County Clerk’s office in the amount of $96,000 for the term commencing June 1, 2019 and ending May 31, 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to exercise the second of two one-year options to renew the agreement with Info Quick Solutions, Inc. regarding the indexing, cashiering, and scanning system for the Albany County Clerk’s office in an amount not to exceed $96,000 for the term commencing June 1, 2019 and ending May 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
LOCAL LAW “C” FOR 2018

A LOCAL LAW TO PROVIDE ACCESS TO PAID SICK TIME TO QUALIFIED EMPLOYEES WITHIN ALBANY COUNTY

Introduced: 3/12/18
By: Messrs. Bullock, Reinhardt, A. Joyce, Fein, Higgins, Mss. Lekakis and McLean Lane, Cunningham:

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, as follows:

Section 1. Legislative Intent

The Legislature hereby finds and determines that access to paid sick time promotes a healthy and safe county by reducing the spread of illness, reducing health care costs, reducing work-family conflict and providing greater flexibility to those with caregiving responsibilities.

The Legislature finds that 40% of workers in Albany County lack access to paid sick time.

The Legislature finds that paid sick leave may diminish public and private health care costs and promote preventive health services in Albany County by enabling workers to seek early and routine medical care for themselves and their family members.

The Legislature finds that some employees are without any protection from losing their jobs or facing workplace discipline when they use the paid sick time they earn to care for themselves or their families.

The Legislature finds, that paid sick leave may allow for victims of domestic violence and their family members in recovery, by providing them job-protected time away from work to receive treatment and to take the necessary steps to ensure their safety.

The Legislature finds that it is necessary to safeguard the public welfare, health, safety and prosperity of the people of Albany County as well as to reduce the risk of contagion by ensuring employees of Albany County may enjoy paid sick leave.

The Legislature finds that the reality of employment in Albany County requires implementing this mandate in a manner that is feasible for employers.
Therefore, passage of this law guaranteeing paid sick time is necessary to ensure that all workers in Albany County can address their own health and safety needs and the health and safety needs of their families by requiring employers to provide a minimum level of earned paid sick time, including time to care for their family members.

Section 2. Title.

This Local Law shall be known as “The Albany County Paid Sick Leave Act.”

Section 3. Definitions.

For the purposes of this Local Law

A) “Agency” means the County of Albany.

B) “Calendar year” shall mean a regular and consecutive twelve month period, as determined by an employer.

C) “Chain business” shall mean any employer that is part of a group of establishments that share a common owner or principal who owns at least thirty percent of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in general business law section 681; provided that the total number of employees of all such establishments in such group is at least fifteen.

D) “Child” shall mean a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

E) “Domestic partner” shall be as defined in section 4 of the workers’ compensation law of New York.

F) “Employee” shall mean any “employee” as defined in subdivision 2 of section 190 of the labor law who is employed for hire within Albany County for more than eighty hours in a calendar year who performs work on a full-time or part-time basis, including work performed in a transitional jobs program pursuant to section 336-f of the social services law, but not including work performed as a participant in a work experience program pursuant to section 336-c of the social services law or work performed pursuant to work study programs under 42 U.S.C. section 2753, but this definition does not include those who are employed by employers exempted under subsection G of this section.
G) “Employer” shall mean any “employer” as defined in subdivision 3 of section 190 of the labor law, except that employer includes Albany County government for its employees that are not subject to a collective bargaining agreement. In determining the number of employees performing work for an employer for compensation during a given week, all employees performing work for compensation on a full-time, part-time or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation per week fluctuates, business size may be determined for the current calendar year based upon the average number of employees who worked for compensation per week during the preceding calendar year and provided further that in determining the number of employees performing work for an employer that is a chain business, the total number of employees in that group of establishments shall be counted.

H) “Family member” shall mean an employee’s child, spouse, domestic partner, parent, sibling, grandchild or grandparent; the child or parent of an employee’s spouse or domestic partner; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

I) “Family offense matter” shall mean an act or threat of an act that may constitute disorderly conduct, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision 1 of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree or coercion in the second degree as set forth in subdivisions 1, 2 and 3 of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household.

J) “Grandchild” shall mean a child of an employee’s child.

K) “Grandparent” shall mean a parent of an employee’s parent.

L) “Health care provider” shall mean any person licensed under federal or New York state law to provide medical or emergency services, including, but not limited to, doctors, nurses and emergency room personnel.
M) “Human trafficking” shall mean an act or threat of an act that may constitute
sex trafficking, as defined in section 230.34 of the penal law, or labor
trafficking, as defined in section 135.35 and 135.36 of the penal law.

N) “Paid sick time” shall mean time that is compensated at the same hourly rate
and with the same benefits, including health care benefits, as the employee
normally earns during hours worked and is provided by an employer to an
employee for the purposes described in Section 5 of this law, but in no case
shall this hourly amount be less than that provided under section 652 (1) of the
labor law of New York. In no case shall an employer be required to pay more
to an employee for paid sick time than the employee’s regular rate of pay at
the time the employee uses such paid sick time.

O) “Parent” shall mean a biological, foster, step- or adoptive parent, or a legal
guardian of an employee, or a person who stood in loco parentis when the
employee was a minor child.

P) “Public health emergency” shall mean a declaration made by the Albany
County Commissioner of Health.

Q) “Retaliation” shall mean any threat, discipline, discharge, demotion,
suspension, reduction in employee hours or any other adverse employment
action against any employee for exercising or attempting to exercise any right
guaranteed under this Local Law.

R) “Safe time” shall mean time that is provided by an employer to an employee
that can be used for the purposes described in Section 5 of this Local Law,
whether or not compensation for that time is required pursuant to this Local
Law.

S) “Sexual offense” shall mean an act or threat of an act that may constitute a
violation of article 130 of the penal law.

T) “Sibling” shall mean an employee’s brother or sister, including half-siblings,
step-siblings and siblings related through adoption.

U) “Sick time” shall mean time that is provided by an employer to an employee
that can be used for the purposes described in section 4 of this Local Law,
whether or not compensation for that time is required pursuant to this Local
Law.

V) “Spouse” shall mean a person to whom an employee is legally married under
the laws of the state of New York.
W) “Stalking” shall mean an act or threat of an act that may constitute a violation of section 120.45, 120.50, 120.55, or 120.60 of the penal law.

Section 4. Accrual of Sick Time

A) All employees shall accrue a minimum of one hour of sick time for every 30 hours worked.

1) Employees of an employer who employs six (6) or more employees shall be entitled to earn and use up to forty (40) hours of paid sick time in a year, for all the purposes in Section 5, unless the employer selects a higher limit.

2) Employees of an employer who employs five (5) or fewer employees shall be entitled to earn and use up to forty (40) hours of unpaid sick time for all the purposes in Section 5 unless the employer selects a higher limit. Employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1) of the Federal Fair Labor Standards Act will be assumed to work forty (40) hours in each work week for purposes of paid and unpaid sick time accrual unless their normal work week is less than forty (40) hours, in which case paid and unpaid sick time accrues based upon that normal work week.

B) Paid and unpaid sick time as provided in this section shall begin to accrue at the commencement of employment or on the date this law goes into effect, whichever is later. An employer may provide all paid and unpaid sick time that an employee is expected to accrue in a year at the beginning of the year.

C) Employees shall not be entitled to use accrued paid and unpaid sick time until the 90th calendar day following commencement of their employment, unless otherwise permitted by the employer. On and after the 90th calendar day of employment, employees may use paid and unpaid sick time as it is accrued.

D) Paid and unpaid sick time shall be carried over to the following year. Alternatively, in lieu of carryover of unused paid sick time from one year to the next, an employer may pay an employee for unused paid sick time at the end of a year and provide the employee with an amount of paid sick time that meets or exceeds the requirements of this section that is available for the employee’s immediate use at the beginning of the subsequent year.

E) Any employer with a paid leave policy, such as a paid time off policy, who makes available an amount of paid leave sufficient to meet the accrual requirements of this section that may be used for the same purposes and under the same conditions as sick time under this law is not required to provide additional paid sick time.
F) Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement or other separation from employment for accrued paid sick time that has not been used.

G) If an employee is transferred to a separate division, entity or location, but remains employed by the same employer, the employee is entitled to all paid and unpaid sick time accrued at the prior division, entity or location and is entitled to use all paid and unpaid sick time as provided in this section. When there is a separation from employment and the employee is rehired within 12 months of separation by the same employer, previously accrued paid and unpaid sick time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued paid and unpaid sick time and accrue additional paid and unpaid sick time at the re-commencement of employment.

H) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer or who execute new employment agreements with the successor employer are entitled to all paid and unpaid sick time they accrued when employed by the original employer, and are entitled to use paid and unpaid sick time previously accrued.

I) At its discretion, an employer may loan paid sick time to an employee in advance of accrual by such employee.

J) At its discretion and pursuant to its own policies, an employer may permit employees to donate sick time to other employees of the same employer.

Section 5. Use of Sick Time

A) An employee shall be entitled to use sick time for absence from work due to:

1) Such employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care;

2) Care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care;

3) Closure of such employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to
a public health emergency; or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the presence of the employee or family member in the community may jeopardize the health of others because of his or her exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease;

4) Any of the following reasons when the employee or a family member has been the victim of a family offense matter, sexual offense, stalking, or human trafficking, except in the case where the employee has perpetrated the family offense matter, sexual offense, stalking or human trafficking and is seeking to use the time on behalf of the family member who is the victim;

a) To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee’s family members from future family offense matters, sexual offenses, stalking, or human trafficking;

b) To meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding, including but not limited to, matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit;

c) To file a complaint or domestic incident report with law enforcement;

d) To meet with a district attorney’s office;

e) To enroll children in a new school; or

f) To take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee’s family member or to protect those who associate or work with the employee.

B) For an absence of more than three consecutive work days under Section 5 an employer may require reasonable documentation that the use of sick time was authorized in the following manner:

1) For sick time used pursuant to subdivisions 1 through 3 of subdivision A of Section 5, an employer may require reasonable documentation that the use of sick time was authorized by this subdivision. For sick time used pursuant to
these subdivisions, documentation signed by a licensed health care provider indicating the need for the amount of sick time taken shall be considered reasonable documentation and an employer shall not require that such documentation specify the nature of the employee’s or the employee’s family member’s injury, illness or condition, except as required by law.

2) For sick time used pursuant to subdivision 4 of subdivision A of Section 5, documentation signed by an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional service provider from whom the employee or that employee’s family member has sought assistance in addressing family offense matters, sex offenses, stalking, or human trafficking and their effects; a police or court record; or a notarized letter from the employee explaining the need for such time shall be considered reasonable documentation and an employer shall not require that such documentation specify the details of the family offense matter, sexual offense, stalking, or human trafficking.

C) An employer may require reasonable notice of the need to use sick time. Where such need is foreseeable, an employer may require reasonable advance notice of the intention to use such sick time, not to exceed seven days prior to the date such sick time is to begin. Where such need is not foreseeable, an employer may require an employee to provide notice of the need for the use of sick time as soon as practicable.

D) An employer that requires notice of the need to use paid sick time where the need is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice. An employer that has not provided to the employee a copy of its written policy for providing such notice shall not deny paid sick time to the employee based on non-compliance with such a policy.

E) Nothing herein shall prevent an employer from requiring an employee to provide written confirmation that an employee used sick time pursuant to this section.

F) An employer shall not require an employee, as a condition of using sick time, to search for or find a replacement worker to cover the hours during which such employee is utilizing time.

G) Paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer’s payroll system uses to account for absences or use of other time.

H) Nothing in this Local Law shall be construed to prohibit an employer from taking disciplinary action, up to and including termination, against a worker who uses sick time provided pursuant to this Local Law for purposes other than those described in this section.
Section 6. Notice and Posting

A) An employer shall provide an employee either at the commencement of employment or within 90 days of the effective date of this section, whichever is later, with written notice of such employee's right to sick time pursuant to this Local Law, including the accrual and use of sick time, the calendar year of the employer, and the right to be free from retaliation and to bring a complaint to the Agency. Such notice shall be in English and in the primary language spoken by the employee if the Agency makes notices available on the Agency's website in such language. Such notice shall be conspicuously posted at an employer's place of business in an area accessible to employees.

B) The Agency shall create and make available notices that contain the information required pursuant to subdivision A of this section concerning sick time and safe time and such notices shall allow for the employer to fill in applicable dates for such employer's calendar year. Such notices shall be posted in a downloadable format on the Agency’s website in English and in all languages spoken by more than 10% of the County’s workforce and any language deemed appropriate by the Agency.

C) An employer who willfully violates the notice and posting requirements of this section shall be subject to a civil fine in an amount not to exceed one hundred dollars ($100) for each separate offense.

Section 7. Employer Records

Employers shall retain records documenting hours worked by employees and paid sick time taken by employees, for a period of three years, and shall allow the Agency access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this law. When an issue arises as to an employee’s entitlement to paid sick time under this section, if the employer does not maintain or retain adequate records documenting hours worked by the employee and paid sick time taken by the employee, or does not allow the Agency reasonable access to such records, it shall be presumed that the employer has violated the law, absent clear and convincing evidence otherwise.

Section 8. Exercise of Rights Protected; Retaliation Prohibited

A) It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Local Law.

B) An employer shall not engage in retaliation or discriminate against an employee or former employee because the person has exercised rights protected under this Local Law. Such rights include but are not limited to the right to request or use sick time pursuant to this law; the right to file a complaint with the agency or courts or
inform any person about any employer's alleged violation of this law; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the agency in its investigations of alleged violations of this Local Law; and the right to inform any person of his or her potential rights under this Local Law.

C) Protections of this section shall apply to any person who mistakenly but in good faith alleges violations of this Local Law.

Section 9. Regulations.

The Agency shall be authorized to coordinate implementation and enforcement of this act and may promulgate appropriate guidelines or regulations for such purposes.

Section 10. Enforcement

A) Administrative Enforcement

1) The Agency shall enforce the provisions of this Local Law. In effectuating such enforcement, the Agency shall establish a system utilizing multiple means of communication including but not limited to online means, to receive complaints regarding non-compliance with this Local Law and investigate complaints received by the Agency in a timely manner.

2) Any person alleging a violation of this Local Law shall have the right to file a written complaint with the Agency within one year of the date the person knew or should have known of the alleged violation. The Agency shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the employee or person reporting the violation, provided, however, that with the authorization of such person, the Agency may disclose his or her name and identifying information as necessary to enforce this Local Law or for other appropriate purposes.

3) Upon receiving a complaint alleging a violation of this Local Law, the Agency shall investigate such complaint and attempt to resolve it through mediation between the complainant and the subject of the complaint, or other means. The Agency shall keep complainants notified regarding the status of their complaint and any resultant investigation. If the Agency believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation and the relief required of the offending person or entity. The Agency shall prescribe the form and wording of such notices of violation including any method of appealing the decision of the Agency.

4) The Agency shall have the power to impose penalties provided for in this law and to grant an employee or former employee all appropriate relief. Such relief
shall include but not be limited to: The Agency shall have the power to impose penalties provided for in this chapter and to grant an employee or former employee all appropriate relief. Such relief shall include in addition to actual damages: (a) for each instance of sick time taken by an employee but unlawfully not compensated by the employer: three times the wages that should have been paid under this chapter or two hundred fifty dollars ($250), whichever is greater; (b) for each instance of sick time requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding a replacement worker: five hundred dollars ($500); (c) for each instance of unlawful retaliation not including discharge from employment: full compensation including wages and benefits lost, five hundred dollars ($500) and equitable relief as appropriate; and (d) for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, up to one thousand dollars ($1,000) and equitable relief, including reinstatement, as appropriate.

5) Any entity or person found to be in violation of the provisions of this law shall be liable for a civil penalty payable to Albany County not to exceed five hundred dollars ($500) for the first violation and, for subsequent violations that occur within two years of any previous violation, not to exceed seven hundred fifty dollars ($750) for the second violation and not to exceed one thousand dollars ($1,000) for each successive violation.

6) The Agency shall send a notice indicating final administrative action after full investigation and resolution of a complaint.

7) The Agency shall annually report on its website the number and nature of the complaints received pursuant to this Local Law, the results of investigations undertaken pursuant to this Local Law, including the number of complaints not substantiated and the number of notices of violations issued, the number and nature of adjudications pursuant to this Local Law, and the average time for a complaint to be resolved pursuant to this chapter.

B) Civil Enforcement

1) Any person aggrieved by a violation of this law, or any entity a member of which is aggrieved by a violation of this law may bring a civil action in a court of competent jurisdiction against an employer violating this law following: (a) a notice of final administrative action under subsection A of Section 10 or (b) after 120 days following the filing of a written complaint with the Agency under Section 10(A)(2) if there has been no administrative action resolving the complaint. If the action follows a final decision of the Agency, the court shall review the administrative decision to insure that it is supported by substantial
evidence. If a civil action is filed under (b) the court shall make a *de novo* determination with respect to the complaint and the administrative complaint with the Agency will be considered withdrawn.

2) Upon prevailing in an action brought pursuant to this section, aggrieved persons shall recover the full amount of any unpaid earned sick time plus any actual damages suffered as the result of the employer's violation of this law plus an equal amount of liquidated damages. Aggrieved persons shall also be entitled to reasonable attorney's fees.

3) Upon prevailing in an action brought pursuant to this section, aggrieved persons shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation, including, without limitation, reinstatement to employment, back pay and injunctive relief.

4) The statute of limitations for a civil action brought pursuant to this section shall be (a) for actions brought pursuant to Section 10 (B) (1) (a), a period of 1 year from the date of the notice of final agency action issued under Section 10(A)(6) and (b) for actions brought pursuant to Section 10 (B) (1) (b) a period of 1 year and 120 days from the date the administrative complaint was filed.

**Section 11. Collective bargaining agreements.**

A) The provisions of this chapter shall not apply to any employee covered by a valid collective bargaining agreement if (i) such provisions are expressly waived in such collective bargaining agreement and (ii) such agreement provides for a comparable benefit for the employees covered by such agreement in the form of paid days off; such paid days off shall be in the form of leave, compensation, other employee benefits, or some combination thereof. Comparable benefits shall include, but are not limited to, vacation time, personal time, safe time or sick time, and holiday and Sunday time pay at premium rates.

B) Notwithstanding subdivision (A) of this section, the provisions of this chapter shall not apply to any employee with respect to work performed in the construction industry pursuant to a valid collective bargaining agreement.

**Section 12. Encouragement of more generous policies; no effect on more generous policies.**

A) Nothing in this Local Law shall be construed to discourage or prohibit the adoption or retention of a safe time or sick time policy more generous than that which is required herein.
B) Nothing in this Local Law shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous safe time or sick time to an employee than required herein.

C) Nothing in this Local Law shall be construed as diminishing the rights of public employees regarding safe time or sick time as provided pursuant to federal, state or city law.

section 13. Confidentiality and nondisclosure.

An employer may not require the disclosure of details relating to an employee's or his or her family member's medical condition or require the disclosure of details relating to an employee's or his or her family member's status as a victim of family offenses, sexual offenses, stalking, or human trafficking as a condition of providing sick time under this Local Law. Health information about an employee or an employee's family member, and information concerning an employee's or his or her family member's status or perceived status as a victim of family offenses, sexual offenses, stalking or human trafficking obtained solely for the purposes of utilizing sick time pursuant to this Local Law, shall be treated as confidential and shall not be disclosed except by the affected employee, with the written permission of the affected employee or as required by law.

section 14. Other legal requirements.

This Local Law provides minimum requirements pertaining to sick time and shall not be construed to preempt, limit or otherwise affect the applicability of any other law, regulation, rule, requirement, policy or standard that provides for greater accrual or use by employees of safe leave or time or sick leave or time, whether paid or unpaid, or that extends other protections to employees.

section 15. Severability

If any provision of this law or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the law which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

section 16. Effective Date

This local law takes effect 180 days after it becomes law, provided that in the case of employees covered by a valid collective bargaining agreement in effect on such date, this local law takes effect on the date of the termination of such agreement and further provided that in the case of employees of an organization which is tax exempt
under Section 501(c)(3) of Title 26 of the United States Code with 200 or less
employees employed exclusively under a single contract or grant, such employees will
accrue unpaid sick time as provided in Section 4(3) of this local law beginning on the
effective date specified herein until the stated date of termination of such contract or
grant at which time such employees will accrue paid sick time as provided in this
local law.

Section 17. Public Education and Outreach

The agency shall develop and implement a multilingual outreach program to inform
employees, employers, parents and persons who are under the care of a health care
provider about the availability of earned paid sick time under this law. The agency
shall contract with community groups in carrying out public education and outreach.

Referred to Law Committee - 3/12/18
Without Recommendation Law Committee – 5/30/19
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

Introduced: 5/14/18
By Messrs. Drake, Smith, Fein and Ms. Lekakis:

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 Albany County Legislature as follows:

SECTION 1. Section 1101 of the Albany County Charter is hereby amended to read as follows:

There shall be a County Department of Economic Development, Conservation and Planning headed by a Director. The Director shall be a person qualified by economic development experience which may include professional training and/or demonstrated experience in the related fields of metropolitan, regional, County or municipal planning. The Director shall be appointed by the County Executive, subject to confirmation by the County Legislature as provided in Section 302(c) of this Charter, and shall serve at the pleasure of the County Executive.

SECTION 2. If any article, section, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State.

Referred to Law and Conservation, Sustainability and Green Initiatives Committees - 5/14/18
Without Recommendation Conservation, Sustainability and Green Initiatives Committee - 5/28/19
Without Recommendation Law Committee - 5/30/19