AGENDA
PUBLIC SAFETY COMMITTEE
JUNE 26, 2019

PREVIOUS BUSINESS:

1. LOCAL LAW NO. “G” FOR 2018: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO LIMIT THE LENGTH OF TIME THAT CANINES MAY BE RESTRAINED OUTDOORS TO NO MORE THAN TWO HOURS IN ANY CONTINUOUS TWELVE-HOUR PERIOD

2. LOCAL LAW NO. “R” FOR 2018: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK PROHIBITING ALBANY COUNTY GOVERNMENT FROM ASSISTING IN THE INVESTIGATION OF CITIZENSHIP OR IMMIGRATION STATUS OF ANY PERSON

3. RESOLUTION NO. 376 FOR 2018: PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “R” FOR 2018

CURRENT BUSINESS:

4. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE CYBER SECURITY GRANT PROGRAM
5. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE CANAL CORPORATION REGARDING REIMBURSEMENT FOR MARINE PATROL SERVICES

6. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE GRANT PROGRAM

7. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE REGARDING REIMBURSEMENT FOR THE INCARCERATION OF CRIMINAL ALIENS

8. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS REGARDING THE PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM

9. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES REGARDING THE 2019 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT
Honorable Andrew Joyce and Members of the Albany County Legislature:

LADIES AND GENTLEMEN:

The Public Safety Committee of the Albany County Legislature met on April 24, 2019. Chairperson Miller, Messrs. Clay, Frainier, Ward, Mss. Lockart and Willingham were present. Messrs. Bullock, Tunny and Stevens were excused. The following items were discussed and/or acted upon:

Approving Previous Meeting Minutes: Unanimously approved.

1. **Local Law No. “G” for 2018**: A Local Law of the County of Albany, New York to limit the length of time that canines may be restrained outdoors to no more than two hours in any continuous twelve-hour period: Tabled at the request of the Sponsor.


4. Authorizing an agreement with OD Security North America regarding the purchase of a full body scanning security system at the Albany County Correctional Facility: The Albany County Sheriff’s Office has requested authorization to enter into an agreement with OD Security North America in the amount of $121,101 regarding the purchase of a Soter RS Full Body Scanning Security System for the Albany County Correctional Facility. The Sheriff’s Office in conjunction with the Albany County Purchasing agent issued an request for quotes in order to review and evaluate various full body scanning security system under New York State contract that comply with guidelines developed by the New York State Department of Health, and have recommended OD Security North America as offering the best value for Albany County. The Sheriff indicated that the Soter RS Full Body Scanning Security System will provide safety and security to employees, inmates and visitors with up-to-date technology which allows this equipment to detect and deter contraband at the Correctional Facility. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

5. Authorizing an agreement with Enterprise Fleet Management regarding the lease of vehicles for the Sheriff’s Office: The Sheriff has requested
authorization to enter into a four-year agreement with Enterprise Fleet Management in an amount not to exceed $647,865 for a term commencing July 24, 2018 and ending July 24, 2022 regarding the lease and delivery of seventeen (17) patrol vehicles. The Sheriff indicated that a RFP was issued on behalf of the County through Sourcewell which allows the vehicles to be leased at the lowest price possible and has recommended Enterprise Fleet Management. The Sheriff also indicated that leasing the seventeen patrol vehicles will significantly reduce operational cost such as maintenance and fuel consumption. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

6. Authorizing the submission of a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2018 Hazmat Grant: The Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2018 Hazmat Grant in the amount of $150,000 for a term commencing September 1, 2018 and ending August 31, 2021. The Sheriff indicated that the grant will provide the HAZMAT teams in Albany, Rensselaer, Saratoga, and Schenectady Counties with funding for training, equipment acquisition, equipment calibration and maintenance costs for HAZMAT trailers. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

7. Authorizing the submission of a grant application to the New York State Division of Homeland Security and Emergency Services regarding the Explosive Detection Canine Team Grant Program: The Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the Explosive Detection Canine Team grant in the amount of $50,000 for a term commencing September 1, 2019 and ending August 31, 2021. The Sheriff indicated the grant will be allocated for the purchase of an Explosive Detection Canine ready vehicle equipment with environmental monitoring system and general program sustainment and enhancements. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

8. Amending the 2019 Sheriff’s Office Budget: Vehicle Salvage Funds: The Sheriff has requested a budget amendment to accept a check totaling $26,404.50 in revenue from insurance proceeds for a Sheriff’s Office vehicle that was totaled in a property damage accident. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.
9. Amending Resolution No. 563 for 2018: Increase security equipment in the 2019 Sheriff's Office Budget: The Sheriff has indicated that Securus Technologies, Inc. has agreed to pay the County $115,000 as a one-time technology grant, 20% commissions on video visitation, 10% commissions on paid entertainment services, and 20% commissions on E-messaging services through SecureView tablets. The Sheriff has requested a budget amendment in order to incorporate $115,000 of grant funding into the office’s security equipment line. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

Respectfully submitted,
THE PUBLIC SAFETY COMMITTEE

PAUL MILLER, Chair
SEAN E. WARD
DOUGLAS A. BULLOCK
PATRICE LOCKART
WILLIAM M. CLAY

PETER B. TUNNY
TRAVIS O. STEVENS
WANDA F. WILLINGHAM
JOHN E. FRAINIER
LOCAL LAW NO. "G" FOR 2018

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO LIMIT THE LENGTH OF TIME THAT CANINES MAY BE RESTRAINED OUTDOORS TO NO MORE THAN TWO HOURS IN ANY CONTINUOUS TWELVE-HOUR PERIOD

Introduced: 4/9/18
By Mr. Cahil and Ms. Cunningham:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Albany County Legislature has been a leader in protecting the health and welfare of animals in Albany County.

This Legislature also finds and determines that animal owners will sometimes tie their animals to a stationary object outdoors for a short period of time.

This Legislature further finds and determines that some owners, however, leave their animals tied to a stationary object outdoors for long periods of time, in some cases, all day.

This Legislature finds that animals left tied to an object outdoors for prolonged periods often do not have sufficient food, water or shelter from inclement weather.

This Legislature further finds that tethers, chains and other restraints can also injure animals, as the restraint may tangle or catch on other objects.

This Legislature also finds that dogs left on tethers, chains and other restraints may be more aggressive and create a public safety hazard.

This Legislature also determines that it is in the best interests of Albany County residents and their pets to limit the amount of time animals spend tied outdoors to a stationary object.

Therefore, the purpose of this Local Law is to limit the length of time that animals may be restrained outdoors to no more than two hours in any continuous twelve-hour period.

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

(a) "Person" means any individual, firm, partnership, corporation, company; society, association, or any organized group of persons, whether incorporated or not.

Section 3. Prohibitions.

(a) It shall be unlawful for any person to tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors or cause such dog to be restrained in a manner that:

(1) Endangers such dog's health, safety or well-being;
(2) Restricts such dog's access to suitable and sufficient food and water;
(3) Does not provide such dog with shelter appropriate to its breed, physical condition, and the climate as defined by §353-b of the New York State Agriculture and Markets Law; or
(4) Unreasonably limits the movement of such dog because it is too short for the dog to move around or for the dog to urinate or defecate in a separate area from the area where it must eat, drink or lie down.

(b) Notwithstanding the provisions of Subsection (a) of this Section, no person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any object with a device that:

(1) Is a choke collar or pinch collar, or a similar collar that tightens when pulled;
(2) Restrains the dog in such a manner that it impairs the flow of oxygen or blood to the dog which may cause choking or causes substantial discomfort to the dog;
(3) Is embedded, partially embedded or may become embedded in such dog's skin;
(4) Has weights attached or contains links that are more than 1/4 inch thick;
(5) Weighs more than 25% of the dog's total body weight, not to exceed 25 pounds for any dog;
(6) Is less than 10 feet in length;
(7) Because of its design or placement is likely to become entangled;
(8) Is long enough to allow such dog to move outside of its owner's property; or
(9) Would allow the restrained dog to move over an object or edge that could result in the strangulation of or injury to such dog.

(c) No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors for more than two hours in any twelve-hour period. And if the dog is tethered to a pulley, running line, or trolley or cable system, the top line must be a minimum of fifteen feet long and six or less feet above the ground.
(d) No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to any stationary object outdoors for any period of time if:

(1) The dog is less than 6 months old;
(2) There is an active weather alert;
(3) Tethering may exacerbate an existing health condition;
(4) Multiple dogs are tethered and their tethers may become entangled; or
(5) The dog is not displaying current identification as defined by section § 108 of New York State Agriculture and Markets Law.

Section 4. Enforcement.

This Local Law shall be enforced by the office of the Albany County Sheriff and may also be enforced by any police officer, peace officer, or local dog control or animal control officer with jurisdiction within Albany County.

Section 5. Penalties for offenses.

A violation of this Local Law shall be punishable by a fine of not more than $150 for a first offense, by a fine of not more than $300 for a second offense and by a fine of not more than $500 for a third or subsequent offense.

Section 6. Applicability.

This article shall apply to all actions occurring on or after the effective date of this Local Law.

Section 7. Severability.

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

Section 8. Effective Date.

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

Referred to Law and Public Safety Committees – 4/9/18
LOCAL LAW NO. “R” FOR 2018

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK PROHIBITING ALBANY COUNTY GOVERNMENT FROM ASSISTING IN THE INVESTIGATION OF CITIZENSHIP OR IMMIGRATION STATUS OF ANY PERSON

Introduced: 7/9/18
By Messrs. Fein, Simpson and Bullock:

BE IT ENACTED, by the Legislature of the County of Albany as follows:

Section 1. Title

This local law shall be known as the “Welcoming Albany County Act”

Section 2. Legislative Intent

The Legislature finds that Albany County has a diverse population, with residents from many different cultures and backgrounds, including many different races, ethnicities, faiths, and national origins.

The Legislature further finds that the residents of Albany County benefit from the County’s diverse cultural heritage.

The Legislature further finds that it is in the best interest of the residents of Albany County to be a welcoming place for all people of all walks of life with no deference to nationality or citizenship.

Therefore, the purpose of this local law is to ensure that Albany County is a welcoming place for all individuals and that Albany County officials do not investigate individuals’ immigration or citizenship status, do not participate in the enforcement of Federal immigration law, and leave the enforcement of Federal immigration law to Federal officials.

Section 3. Definitions

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

A. “Administrative warrant” means an immigration warrant of arrest, order to detain or release aliens, notice of custody determination, notice to appear, removal order, warrant of removal, or any other document, issued for a civil immigration enforcement purpose and that is not issued or signed by a judge
appointed pursuant to article III of the United States constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631. This definition includes, but is not limited to, administrative warrants entered into the Federal Bureau of Investigation’s National Crime Information Center database. This definition does not include any criminal warrants issued upon a judicial determination of probable cause and in compliance with the requirements of the Fourth Amendment to the U.S. Constitution and New York law.

B. “Agency” means every Albany County department, agency, division, commission, council, committee, board, or other body established by authority of a local law, resolution, or executive order, and shall encompass, for the purposes of this local law, all contractors performing work on behalf of the county.

C. “Agent” means any person employed by or acting on behalf of an agency or county contractor.

D. “CBP” means the United States Customs and Border Protection agency and shall include any successor agency charged with the enforcement of federal civil immigration laws.

E. “Certification” means any law enforcement certification or statement required by federal immigration law including, but not limited to, the information required by Section 1184(p) of Title 8 of the United States Code (including current United States Citizenship and Immigration Service Form I-918, Supplement B, or any successor forms) for purposes of obtaining a U visa, or by Section 1184(o) of Title 8 of the United States Code (including current United States Citizenship and Immigration Service Form I-914, Supplement B, or any successor forms) for purposes of obtaining a T visa.

F. “Certifying agency” means Albany County law enforcement agency or other authority that has responsibility for the investigation, prosecution, or sentencing of qualifying criminal activity. “Certifying agency” includes any agency that has criminal investigative jurisdiction in its respective areas of expertise.

G. “Citizenship or immigration status” means an individual’s recorded citizenship or immigration status, as such status is defined in the federal immigration and nationality act, at the time an agent or agency receives such information.

H. “Contact information” means home address, work address, telephone number, electronic mail address, social media information, or any other information that can be used as a means of locating or contacting an individual.
I. “Eligible for release from custody” means that the person may be released from custody because one of the following conditions has occurred:

a. All criminal charges against the person have been dropped or dismissed.

b. The person has been acquitted of all criminal charges filed against him or her.

c. The person has served all the time required for his or her jail or prison sentence.

d. The person is ordered to be released from custody pending the disposition of his or her pending criminal case.

e. The person has posted a bond.

f. The person is otherwise eligible for release under state or local law, or local policy.

J. “Family member” means a person’s (i) mother, father, spouse, brother or sister (including blood, step or half), son or daughter (including blood, step or half), father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparent or grandchild; or (ii) court-appointed legal guardian or a person for whom the person is a court-appointed legal guardian; or (iii) domestic partner or the domestic partner’s mother, father, brother, sister (including blood, step, or half), son or daughter (including blood, step or half).

K. “ICE” means the United States Immigration and Customs Enforcement agency and shall include any successor agency charged with the enforcement of federal civil immigration laws.

L. “Immigration detainer” means a request by ICE or CBP to a federal, state, or local law enforcement agency that requests that the law enforcement agency provide notice of release or maintain custody of an individual, including detainers issued pursuant to Sections 1226 or 1357 of Title 8 of the United States Code or 287.7 or 236.1 of Title 8 of the Code of Federal Regulations. These detainers include DHS Form I-247-A “Immigration Detainer – Notice of Action”; DHS Form I-247D “Immigration Detainer – Request for Voluntary Action”; DHS I-247X “Request for Voluntary Transfer”; DHS Form I-247N “Request for Voluntary Notification of Release,” or any successor forms.

M. “Immigration enforcement operation” means any operation that is primarily for the purpose of identifying or apprehending a person or persons: 1) in order to subject them to civil immigration detention, removal or deportation proceedings, and/or removal or deportation from the United States; or 2) to criminally prosecute a person or persons for offenses related to immigration status, including but not limited to violations of Sections 1253, 1304, 1306(a) and (b), 1325, or 1326 of Title 8 of the United States Code, or violations of Sections 1028A or 1546 of Title 18 of the United States Code.
N. “Judicial warrant” means a warrant based on probable cause and issued by a judge appointed pursuant to article III of the United States constitution or a federal magistrate judge appointed pursuant to 28 USC 631, that authorizes federal immigration authorities to take into custody the person who is the subject of such warrant. This does not include warrants or orders issued by employees of the Department of Homeland Security, the Department of Justice, or the Executive Office for Immigration Review.

O. “Qualifying criminal activity” means any activity involving one or more of the following or any similar activity in violation of federal, state; or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felony assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in Section 1351 of Title 18 of the United States Code); or attempt, conspiracy, or solicitation to commit any of the above-mentioned crimes. This list of qualifying criminal activity is not a list of specific statutory violations, but instead a list of general categories of criminal activity. Activity not listed in the first sentence of this definition shall be presumed to be qualifying criminal activity when its nature and elements are substantially similar to any qualifying criminal activity listed herein. Qualifying criminal activity that occurs during the commission of non-qualifying criminal activity shall be considered qualifying criminal activity regardless of whether criminal prosecution was sought for the qualifying criminal activity.

P. “Victim of qualifying criminal activity” means any individual who has reported qualifying criminal activity to a law enforcement agency or certifying agency, or has otherwise participated in the detection, investigation, or prosecution of qualifying criminal activity, who has suffered direct or proximate harm as a result of the commission of any qualifying criminal activity and may include, but is not limited to, an indirect victim, regardless of the direct victim’s immigration or citizenship status, including the spouse, children under 21 years of age, and, if the direct victim is under 21 years of age, deceased, incompetent or incapacitated, parents and unmarried siblings under 18 years of age of the direct victim. A bystander victim may also be considered as a “victim of qualifying criminal activity.” More than one victim may be identified and provided with certification depending upon the circumstances. For purposes of this definition, the term “incapacitated” means unable to interact with law enforcement agency or certifying agency personnel as a result of a cognitive impairment or other physical limitation, or because of physical restraint or disappearance.

Section 4. Requesting information prohibited
No agent or agency shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person, except as may be required under Section 10 of this local law, unless such inquiry or investigation is required by court order. Notwithstanding this provision, the Albany County attorney may investigate and inquire about citizenship or immigration status when relevant to potential or actual litigation or an administrative proceeding in which the county is or may be a party.

Section 5. Conditioning benefits, services, or opportunities on immigration status prohibited

A. No agent or agency shall condition the provision of Albany County benefits, services, or opportunities on matters related to citizenship or immigration status unless required to do so by state or federal law, or court order.

B. Where presentation of a driver’s license or identification card issued by New York State or any U.S. State or U.S. territory is accepted as adequate evidence of identity, presentation of a photo identity document issued by another country, such as a driver’s license, passport, or consular identification document or presentation of a photo identity issued by a school, college, or employer located in the United States, shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a driver’s license or identification card issued by New York State or any U.S. State or U.S. territory except that this subsection (b) shall not apply to the completion of the federally mandated I-9 forms.

C. In order to ensure that eligible persons are not deterred from seeking Albany County benefits, services, or opportunities, all agencies shall review their confidentiality policies and identify any changes necessary to ensure that information collected from individuals is limited to that necessary to perform agency duties and is not used or disclosed for any other purpose, except as may be required under Section 10 of this local law. Any necessary changes to those policies shall be made within 60 days of the adoption of this local law, consistent with agency procedures.

D. All applications, questionnaires, and interview forms used in relation to Albany County benefits, opportunities, or services shall be promptly reviewed by the pertinent agencies and any questions regarding citizenship or immigration status, other than those required by statute, federal law, or court order, shall be deleted within 60 days of the adoption of this local law.

Section 6. Immigration enforcement actions and Federal responsibility
A. No agency or agent shall stop, arrest, detain, or continue to detain a person after that person becomes eligible for release from custody or is free to leave an encounter with an agency or agent, based on any of the following:

   a. an immigration detainer;
   b. an administrative warrant; or
   c. any other basis that is based solely on the belief that the person is not present legally in the United States, or that the person has committed a civil immigration violation.

B. No agency or agent shall accept requests by ICE, CBP, or other agencies to support or assist in any capacity with immigration enforcement operations, including but not limited to requests to (1) provide information (including custody status, release date, home address, or work address) regarding persons who may be the subject of immigration enforcement operations except as may be required under Section 10 of this local law, (2) investigate or interrogate such persons, (3) establish traffic perimeters, or (4) otherwise be present to assist or support an operation. In the event an agent receives a request to support or assist in an immigration enforcement operation, he or she shall report the request to his or her supervisor, who shall decline the request, except as may be required under Section 10 of this local law, and document the declination in an interoffice memorandum to the agency director through the chain of command.

C. No agency or agent shall enter into an agreement under Section 1357(g) of Title 8 of the United States Code or any other federal law that authorizes or permits state or local governmental entities to enforce federal civil immigration laws.

D. Unless presented with a valid and properly issued judicial warrant, no agency or agent shall:

   a. stop, arrest, detain, or continue to detain a person after that person becomes eligible for release from custody or is free to leave an encounter with an agency or agent;
   b. permit ICE or CBP agents access to a person being detained by, or in the custody of, the agency or agent;
   c. transfer any person into ICE or CBP custody;
   d. permit ICE or CBP agents use of agency facilities, information (except as may be required under Section 10 of this local law), or equipment, including any agency electronic databases, for investigative interviews or other investigative purpose or for purposes of executing an immigration enforcement operation; or
   e. expend time to respond to ICE or CBP inquiries or communicate with ICE or CBP regarding a person's custody status, release date, home address, work address, or other information, except as may be required under Section 10 of this local law.
Section 7. Certifications for victims of qualifying criminal activity

A. A certifying agency shall execute any certification requested by any victim of qualifying criminal activity or representative of the victim including, but not limited to, the victim’s attorney, accredited representative, or domestic violence service provider, within 45 days of receiving the request. If the victim seeking certification is in federal immigration removal proceedings, the certifying agency shall execute the certification within 14 days of receiving the request. If the victim or the victim’s children would lose any benefits under Sections 1184(p) and 1184(o) of Title 8 of the United States Code by virtue of having reached the age of 21 years within 90 days after the certifying agency receives the certification request, the certifying agency shall execute the certification no later than 14 days before the date on which the victim or child would reach the age of 21 years. Requests for expedited certification must be affirmatively raised by the victim.

B. If a certifying agency denies a request for certification, the agency shall notify the applicant in writing of the basis for the denial and the process for appealing the denial to the agency head. Within 90 days of receiving an applicant’s letter appealing a denial, the certifying agency head shall notify the applicant in writing that the appeal is rejected and the initial denial is upheld or that the appeal is granted and the certifying agency will issue a certification.

C. The head of each certifying agency shall perform, or designate an agent with a supervisory role within the agency to perform, the following responsibilities:

a. respond to requests for certifications;

b. provide outreach to victims of qualifying criminal activity to inform them of the agency’s certification process; and

c. keep written records of all certification requests and responses.

D. All certifying agencies shall implement a language-access protocol for non-English speaking victims of qualifying criminal activity.

E. A certifying agency shall reissue any certification within 45 days of receiving a request from the victim of qualifying criminal activity or representative of the victim including, but not limited to, the victim’s attorney, accredited representative, or domestic violence service provider.

F. There is no requirement that there be a current investigation, the filing of charges, a prosecution, or a conviction in order for a certifying agency to provide a certification, and there is no statute of limitations on providing a certification.
G. A certifying agency shall not refuse to provide certifications to applicants with criminal histories or outstanding warrants.

H. Notwithstanding any other provision of this section, a certifying agency’s completion of a certification shall not be considered conclusive evidence that the victim has met eligibility requirements for a U or T visa, and completion of a certification by a certifying agency shall not be construed to guarantee that a victim will receive federal immigration relief. It is the exclusive responsibility of federal immigration officials to determine whether a victim of qualifying criminal activity is eligible for a U or T visa. Completion of a certification by a certifying agency merely verifies factual information relevant to the immigration benefit sought including information relevant for federal immigration officials to determine eligibility for a U or T visa. By completing a certification, the certifying agency attests that the information is true and correct to the best of the certifying official’s knowledge. If after completion of a certification, the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, then the certifying agency may notify the United States Citizenship and Immigration Services in writing.

Section 8. Federal registry programs

No agency or agent shall expend any time, facilities, equipment, information, or other resources of the agency or agent to facilitate the creation, publication, or maintenance of any federal program to register individuals present in the United States based on their race, religion, gender, sexual orientation, gender identity or expression, or national or ethnic origin, or the participation of any residents of the Albany County in such a registry.

Section 9. Commitments

A. The county commits to working with community advocates, policy experts, and legal advocates to defend the human rights of immigrants.

B. The Albany County Sheriff’s Department will continue to respond to requests from immigrant communities to defend them against all crimes, including hate crimes, to assist people with limited language proficiency, and to connect immigrants with social services.

C. The county recognizes the arrest of an individual increases that individual’s risk of deportation even in cases where the individual is found to be not guilty, creating a disproportionate impact from law enforcement operations. Therefore, for all individuals, the Albany County Sheriff’s Department will recognize and consider the extreme potential negative consequences of an arrest in exercising its discretion regarding whether to take such an action, and will arrest
an individual only after determining that less severe alternatives are unavailable or would be inadequate to effect a satisfactory resolution.

Section 10. Information regarding citizenship or immigration status

Nothing in this local law prohibits any Albany County agency from sending to, or receiving from, any local, state, federal agency, information regarding an individual’s citizenship or immigration status.

Section 11. Severability

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 12. Effective Date and Applicability

This local law shall be effective immediately upon filing in the Office of the Secretary of State.

Referred to Law, Public Safety and Audit and Finance Committees – 7/9/18
RESOLUTION NO. 376

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

Introduced: 8/13/18
By: Messrs. Fein and Simpson

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “R” for 2018, “A Local Law of the County of Albany, New York Prohibiting Albany County Government from Assisting in the Investigation of Citizenship or Immigration Status of Any Person,” be held by the County Legislature in the Legislative Chamber, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, August 28, 2018, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law, Audit and Finance and Public Safety Committees – 8/13/18
May 30, 2019

Honorable Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Room 710  
Albany, New York 12207  

Dear Chairman Joyce:

We are requesting permission to apply to New York State Division of Homeland Security and Emergency Services (DHSES) for the FY2018 Cyber Security Grant for a total of $28,500. This grant would provide a funding opportunity to purchase enhanced cyber security software and support for Albany County. The Department of Information Services has identified software that would provide a firewall for purposes of segmentation.

A cyber security gap exists with the existence of sharing internal connections with non-county agencies through traditional routing and switching. An internal firewall would allow segmentation of the county network from these agencies. Currently, in the event of a disruption that could result in the loss of data the county would disconnect the services of non-county agencies through switching commands. Effected assets are quarantined and users access are disabled. A robust firewall would allow segments to pass only required traffic by IP Address and port, traffic would also be monitored for vulnerabilities using subscription based IPS and antivirus as part of the enterprise firewall.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Daniel P. McCoy  
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader  
Hon. Frank Mauriello, Minority Leader  
Kevin Cannizzaro, Acting Majority Counsel  
Arnis Zilgme, Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Permission to Apply for the NYS DHSES FY18 Cyber Security Grant

Date: 6/1/2019
Submitted By: Michael Lalli
Department: County Executive's Office
Title: Policy Analyst
Phone: 528-447-5642
Department Rep.: Michael Lalli
Attending Meeting: 

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☒ Grant

Choose an item.
Submission Date Deadline 5/29/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
NYS Division of Homeland Security and Emergency Services (DHSES)
1220 Washington Avenue
State Office Campus, Building 7A Suite 710
Albany, NY 12242

Additional Parties (Names/addresses):

Amount/Raise Schedule/Fee: $28,500.00
Scope of Services: The purchase and installation of a Palo Alto Firewall for purposes of segmentation

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☐
If Mandated Cite Authority: Click or tap here to enter text.
Is there a Fiscal Impact:
Anticipated in Current Budget: Yes ❌ No ☐ Yes ☐ No ❌

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

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

Source of Funding - (Percentages)
Federal: Click or tap here to enter text.
State: 100%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term
Term: (Start and end date) TBD
Length of Contract: TBD

Impact on Pending Litigation
If yes, explain: Yes ☐ No ❌
Click or tap here to enter text.

Previous requests for Identical or Similar Action:
Resolution/Law Number: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

*Justification:* (state briefly why legislative action is requested)
The purchase and installation of a Palo Alto Firewall for purposes of segmentation. Segments will include non-County entities connected to Albany County such as the City of Albany and other police agencies. We would also segment County entities such our Disaster Recovery network and the Board of Elections.
FY2018 Cyber Security Grant Program: Request for Applications (RFA)

Application Deadline: May 29, 2019 by 5:00 pm

In order to ensure adequate time to respond, substantive written questions regarding this Request for Applications will be accepted until 12:00 noon on May 22, 2019.

Technical Assistance for E-Grants will not be available after 5:00 pm on May 29, 2019.
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I. Introduction

The NYS Division of Homeland Security and Emergency Services (DHSES) is supporting local preparedness capabilities through a total of five competitive targeted grant RFAs for a total of up to $5,000,000. The final award amount for each of the five programs will be based on the scoring of applications received and at the Division’s sole discretion.

The purpose of this Request for Applications (RFA) is to solicit applications for up to $50,000 in federal FY2018 State Homeland Security Program (SHSP) funding made available by DHSES for eligible applicants to enhance and sustain their cyber security posture as well as ensure that their information systems are secure and protected from cyber incidents. Funding will be awarded competitively based upon the submission of completed and eligible applications.

NYS DHSES recognizes the impacts that cyber incidents pose to our government information systems and critical infrastructure, placing our security, economy, and public health and safety at risk. As New York State’s dependencies on computer networks and information systems grow, so do threats of cyber incidents. Government entities at every level and of every size use cyber-based systems to some degree. All sectors of critical infrastructure, including transportation, energy, communications, emergency services, and water systems rely on Information Technology (IT)-based controls, thus placing them at risk of cyberattacks. Minimizing risk is key to maintaining the security of these systems. With the cyber security threat landscape expanding in size and complexity, all levels of government must ensure their cyber security measures are kept current and updated regularly, relative to emerging threats.

Through the state-wide County Emergency Preparedness Assessments (CEPA) process conducted every three years by NYS DHSES, the threat of a cyber incident recently scored as the highest risk of all human-made/adversarial threats assessed. Despite its high-risk level, cyber security capabilities across New York State counties scored low, pointing to a considerable need for cyber security enhancement. The CEPA data showed cyber security weaknesses across multiple categories, including policy/procedures, training, software and equipment.

In response, NYS DHSES has devoted funding through this grant opportunity to aid local jurisdictions in enhancing their ability to protect, identify, respond to and recover from cyber incidents:

The primary objectives of this grant opportunity are as follows:

1. To provide New York State local jurisdictions with the resources and equipment necessary to prevent disruption of the confidentiality, integrity, and availability of their information systems.

2. To assess cyber security risks, identify vulnerabilities and determine capability gaps with the focus of allocating resources to address the most critical needs.
3. To ensure that local jurisdictions are equipped with the knowledge and resources necessary for providing cyber security awareness training to their staff in support of good cyber hygiene at the user level.

4. To develop actionable cyber security plans that focus on response and immediate remediation to a cyber incident.

5. To encourage the participation in established cyber security support networks and utilization of the vast amount of resources available to local governments.

This grant opportunity will ensure that critical homeland security funding addresses prioritized capability development goals and objectives, as recognized by State and local stakeholders in the 2017-2020 New York State Homeland Security Strategy, specifically, Goal 4: *Enhance Cyber Security Capabilities.*

**II. Eligibility**

All New York State counties as well as local units of government to include cities, towns, and/or villages are eligible to apply for this grant opportunity.

- **Additional Eligibility Requirement:** Eligible applicants are further required to be an existing member or register as a new member of the Multi-State Information Sharing and Analysis Center (MS-ISAC). Applicants shall submit verification of their MS-ISAC membership as an attachment with their grant application. DHSES staff may collaborate with MS-ISAC administrators to verify eligibility. An overview and registration information of the MS-ISAC can be found in Exhibit B (page 25) of this RFA.

**III. FY2018 Cyber Security Grant Program Objectives**

DHSES has identified the following objectives for the FY2018 Cyber Security Grant Program:

A. To provide New York State local jurisdictions with the resources and equipment necessary to prevent disruption of the confidentiality, integrity, and availability of their information systems.

The confidentiality, integrity and availability of information, or the CIA triad of cyber security, represent the fundamental aspects of data that are sought to be protected within an organization’s network. “Confidentiality” refers to maintaining legally protected or private data, accessible only to parties intended by the organization. “Integrity” refers to maintaining accuracy and completeness of data. “Availability” refers to the data being stored, processed and communicated properly to ensure its accessibility within the organization. These concepts each represent how an organization’s systems could be disrupted if subjected to a cyber incident.
Information Technology systems, as they relate to cyber security, consist of physical equipment, such as networks, servers and other hardware components that provide protection, as well as programmatic resources, such as firewalls and anti-virus software. These systems must be kept up to date and operating properly to ensure critical information is protected and secure.

Cyberattacks are successful when vulnerabilities in these systems are exploited. The FY2018 Cyber Security Targeted Grant Program supports local jurisdictions in protecting their systems through the use of funding and ensuring these systems continue to operate effectively to minimize cyber security risk, thus limiting harmful consequences to the organization.

B. To assess cyber security risks, identify vulnerabilities and determine capability gaps with the focus of allocating resources to address the most critical needs.

Every jurisdiction carries some degree of risk. Vulnerabilities within organizations can present in a variety of areas. Two perspectives from which to assess cyber security are that of governance/policy, to include awareness training, in addition to that of physical systems, including equipment and software. Conducting a comprehensive risk assessment will help jurisdictions determine which specific areas within their organization may present a risk for exploitation by an adversary. The risk assessment process should be used to identify specific vulnerabilities and to assist with prioritizing the most critical needs.

As part of the application process for this program, each applicant will be required to complete a Risk Assessment, which is composed of the Risk Level Self-Assessment and Threat Profile. When completed, the Risk Assessment will highlight specific areas within the organization’s cyber security posture needing improvement or enhancement. Each of the assessment tools are included as a separate tab within the RFA Worksheet.

To aid in the application process, the Risk Assessment tools for this program were developed in conjunction with DHSES Office of Counter Terrorism, Cyber Incident Response Team (CIRT) and Cyber Support Element (CSE). The CSE is a partnership with the NYS Division of Military and Naval Affairs (DMNA) and is part of the Office of Counter Terrorism’s Critical Infrastructure (OCT-CI) Unit.

Applicants of this grant opportunity should develop projects that will address the higher risk areas identified from their Risk Assessment.

C. To ensure that local jurisdictions are equipped with the knowledge and resources necessary for providing cyber security awareness training to their staff in support of good cyber hygiene at the user level.

In addition to physical systems, an equally, if not more critical component to cyber security is ensuring that all users of information technology systems are following safe and secure practices. This can be accomplished through regularly administered trainings of cyber security best practices and establishing jurisdiction-wide policies to enforce these practices.
For example, a common method of cyberattack known as “phishing” occurs when a malicious party sends a fraudulent email, often purporting to be from a trusted source. The email will contain a link or attachment which installs malicious software (malware). Lacking proper knowledge and awareness, a user could be deceived and open the link, thus creating an entry point for a cyberattack. In this all too common scenario, a single user’s error will place the entire organization’s network at risk. With such cyberattacks targeting users’ behavior, the importance of cyber security awareness training is paramount.

With this consideration in mind, a well-educated user is also an invaluable resource for cyber threat detection, given the prevalence of email-based cyber threats. With regular trainings, users can gain the knowledge and initiative to report suspicious activity appropriately, thus thwarting attempted cyberattacks.

Additionally, with the cyber security threat landscape expanding in sophistication and complexity, regular and recurrent training opportunities can incorporate updated information of specific cyber threats for users’ awareness.

Applicants of the FY2018 Cyber Security Grant Program are strongly encouraged to develop new or enhance existing cyber security training programs within their agency, as well as other investments focused on the creation of robust cyber security policies and practices.

D. To develop actionable cyber security plans that focus on response and immediate remediation to a cyber incident.

In addition to utilizing grant funds to enhance protection and prevention of cyber threats, the FY2018 Cyber Security Grant Program further supports a focus towards response to a cyberattack, should one occur. DHSES recognizes that even jurisdictions with a robust cyber security posture still carry some degree of risk of a cyber incident. Having an effective response plan in place following such an event is critical in minimizing disruption of an organization’s systems. Funding through this program supports local jurisdictions’ preparedness efforts to include effective planning and executing regular cyber security exercises. With planning and exercises occurring at regular intervals, an organization can effectively measure their cyber security policies and defenses. This will provide an opportunity for the organization to enhance any vulnerabilities identified during the exercise. Consequently, the organization will be prepared for real world cyber threats and any potential disruption would be minimized.

E. To encourage the participation in established cyber security support networks and utilization of the vast amount of resources available to local governments.

Through the FY2018 Cyber Security Grant Program, applicants are encouraged to take advantage of the many resources at both the state and federal level, that are available to them, including information sharing and support networks, assessment tools, best practice recommendations and incident response assistance. Many of these resources are available free of charge and provide government organizations with the ability to assess their current capabilities, identify where their vulnerabilities exist, prioritize where to focus their
resources, and understand how to mitigate and plan for potential cyber incidents in the future. Several of these resources are outlined in Exhibit C (page 26) of this RFA.

DHSES is committed to ensuring that local government organizations are supported in their preparedness efforts as it relates to cyber security through not only providing this funding opportunity but also working collaboratively with other state and federal partners in an effort to coordinate information sharing, provide outreach opportunities and support New York State's local governments with their cyber security needs.

- **Multi-State Information Sharing and Analysis Center (MS-ISAC):** Applicants of the FY2018 Cyber Security Grant Program will be required to be an existing member or register as a new member of the MS-ISAC. The MS-ISAC is the focal point for cyber threat prevention, protection, response and recovery for the nation's state, local, tribal and territorial (SLTT) governments. They are a valued partner of New York State, and work closely with the New York State Intelligence Center (NYSIC) and other NYS agencies to support New York State’s local governments. Direct membership in the MS-ISAC and access to all its resources and services are available at no cost to New York’s local governments. More information is available at [https://www.cisecurity.org/ms-isac/](https://www.cisecurity.org/ms-isac/).

- **New York State Board of Elections (SBOE) Managed Security Service and Intrusion Detection Service Programs:** SBOE has recently made these services available to Counties for the benefit of the County Boards of Elections. When applying for grants, applicants should consider whether the services identified in the application would or could be covered by SBOE’s Managed Security Services and Intrusion Detection Services programs that are being offered at no cost to the Counties. For additional information on these programs please email: info@elections.ny.gov.

IV. Authorized Program Expenditures

A. **Permissible Costs**

Grant funding under the FY2018 Cyber Security Grant Program may be used for certain planning, equipment, training and exercise costs allowable under the State Homeland Security Program (SHSP). *Applicants should refer to Exhibit A, “Allowable Costs Matrix” for detailed information on allowable costs.*

Examples of projects that are in line with the grant program include, but are not limited to, the following:

1. **Planning:**
   - Costs associated with the development of plans to include the hiring of consultants\(^1\) to identify potential vulnerabilities and develop risk mitigation plans

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\(^1\) Under the Cyber Security Grant Program, as with all SHSP funding, there is a 50% cap on personnel costs. Personnel Costs include OT/Backfill for Training and Exercises and most consultant costs (unless the consultant is developing defined deliverables or installing equipment.)
2. Equipment:
   - Software packages including firewalls, anti-virus applications and malware protection;
   - Network equipment including servers;
   - Encryption software;
   - Intrusion detection systems;
   - Hardware components that will provide protection against cyber threats

3. Training:
   - Training initiatives, including overtime and backfill costs;
   - Costs associated with the development and delivery of cyber awareness training to staff at the user level

4. Exercises:
   - Costs associated with the design, development, execution, and evaluation of exercises (regionally or locally) to determine the viability of new or pre-existing capabilities.

Note: The sample list above is not fully inclusive. Please note that equipment purchases must be allowable per the Authorized Equipment List located at: https://www.fema.gov/authorized-equipment-list.

B. Costs Not Permissible
   Organizational, Management & Administration (M&A) costs, construction costs, and the hiring of full or part-time staff are not allowable under this grant program. Applicants should refer to Exhibit A of this RFA to obtain clear guidance on allowable costs.

V. Application Format and Content

A. Format: Grant applications MUST be submitted via the automated E-Grants System operated by DHSES by 5:00 pm on May 29, 2019. The system allows an agency to complete an application electronically and submit it over the Internet using a secure portal. If upon reading this RFA you are interested in completing a grant application, and you have not previously been registered to use the DHSES E-Grants system, your agency will need to register and be assigned a user name and password. The Registration Request Form and a detailed tutorial on how to use the E-Grants system is available at: http://www.dhges.ny.gov/grants/forms-egrafts.cfm.

B. Required Application Content: The following questions must be addressed in your FY2018 Cyber Security Grant Program application. You must answer these grant specific questions in the required RFA Worksheet in order for your application to be considered.
1. **Applicant Details:** Applicants must provide the identification of their organization to include the following:

- Organization name and address;
- Point of Contact name and contact info (POC should be IT/Cyber-focused Personnel)
- Number of personnel within the organization for which the grant funding will apply (all front-line users of IT/all users of the agency’s e-mail system), for training considerations;
- Organizational structure of Information Technology/Cyber Security dedicated staff within the organization;
- Summary of the organization’s current IT environment to include basic description of network equipment and approximate number of endpoint devices (computers, smartphones, tablets, etc.);
- Cyber Incident History within the Organization, if applicable (things to consider include the type of cyber incident that occurred, what data, if any, was compromised, what steps the organization took in response to the incident and how well the organization recovered from the incident);
- Cyber Threat Intelligence Source(s) for the Organization, including MS-ISAC membership status; and
- Mission of the Organization and the role its IT systems meet to fulfill the functions of government

2. **Risk Level Self-Assessment:** DHSES is committed to distributing homeland security funding based on risk. Jurisdictions who have participated in the County Emergency Preparedness Assessment (CEPA) process should have a good idea of the risks and capabilities within their jurisdiction and where gaps in capabilities may exist. Leveraging available data from the CEPA may be useful in this section.

Within the Self-Assessment, applicants are required to rate their organization’s level of risk across multiple cyber security categories. Each Self-Assessment question also contains a narrative field in which the applicant is prompted to describe any relevant policies, procedures, hardware, software or other assets applicable to the question. This assessment is intended to provide the applicant with a baseline summary of vulnerabilities in their current systems. Applicants should use the results of these findings to help prioritize their project development.

A comprehensive knowledge of the organization’s IT structure and cyber practices will be required to complete this section. Reliance upon IT/Cyber-focused staff may be necessary and is highly encouraged.

3. **Threat Profile:** This section prompts the applicant to identify what they believe to be their organization’s top three largest cyber security threats, based on their current security posture, observed attacks and known deficiencies, and how these threats may relate to gaps in their information security program. Each example needs to be explained from the following four perspectives: identifying the chosen threat, explaining specific vulnerabilities that exist within the organization as related to the threat, identifying any
mitigating measures, plans or policies that help minimize the threat and identifying specific consequence(s) which may result from a successful cyberattack, given the identified threats and vulnerabilities. Examples of threats, vulnerabilities and consequences can be found in the “Glossary” tab of the RFA Worksheet.

4. Proposed FY2018 Budget Plan: Applicants must list each project within the budget in order of priority (Project #1 being most critical, etc.) based on the submission of the budget details in the “Budget” tab of E-Grants. For each project, applicants must select a project title, provide a description and an outline of the proposed expenditures within each of the allowable spending categories (Federal Spending Category and NYS Budget Category). There is no cap on the number of projects that may be submitted, but the total request for the FY2018 Cyber Security Grant Program funding cannot exceed $50,000.

The total costs identified in the budget plans will be reviewed for reasonable and necessary expenses, and whether they align with the objectives of this grant. The review panel will reference the “Capability Advancement” section of the RFA Worksheet to ensure that projects highlighted in the “Budget” section address those gaps highlighted in the Risk Assessment.

5. Capability Advancement: Applicants must provide a brief description of their current cyber security capabilities and highlight how the proposed projects in their budget for this grant program will address identified capability gaps and improve their overall cyber security posture. Please indicate any combined coordination, planning or training with external agencies or organizations with respect to cyber security. Applicants should describe their organization’s existing measures that focus on prevention and response to disruptions of the confidentiality, integrity, and availability of their information systems discussed in the Risk Assessment. Please indicate, as clearly as possible, how the overall capability of the organization will be enhanced by the requested goods/services.

Please note that the "Capability Areas" correspond with the questions from the "Self-Assessment" tab. Applicants are encouraged to focus on projects that will address the higher risk areas from the "Self-Assessment", unless further justification is made.

6. Multi-Year Planning: Applicants must provide a Multi-Year Plan that communicates how capabilities (including the maintenance of equipment) will be developed under this grant program and how these capabilities will be enhanced and/or sustained after the successful completion of the projects proposed in your application upon the conclusion of the performance period (August 31, 2021).

7. Overall Assessment of Application: Under the FY2018 Cyber Security Targeted Grant Program, applicants will receive up to ten (10) points based on their “Overall Assessment of Application Score.” This score will be determined by the reviewers based on a complete assessment of the application. Reviewers will assess how well the application addresses the five primary objectives of the FY2018 Cyber Security Grant Program.

- Grant Management Performance History: Per the new Code for Federal Regulations (CFR) 2 CFR Part 200, DHSES is required to assess the risk posed by
sub-recipients of federal funding passed through DHSES. For previously funded sub-recipients, DHSES will assess how well they have historically managed federal grant funds. This will include reporting compliance, successful award spend-down, and program objective compliance. Once a prospective applicant’s final overall average score is determined by the review panel, DHSES may subtract up to ten (10) points based on its “Grant Management Performance History” criteria.

8. **Bonus Points Criteria:** Due to the highly competitive nature of this program and to maximize the impacts of funding across the state, Bonus Points will be awarded to applicants who have not been previously funded under the FY2017 Cyber Security Grant Program. All previously unfunded applicants will be awarded two (2) Bonus Points which will be added to their overall application score.

**VI. Application Evaluation Criteria**

The following multi-tiered criteria will be used by a committee selected by DHSES to evaluate each application and to determine the best applications for recommendation to the Commissioner to receive grant awards. All grant awards are approved by the Commissioner of DHSES.

**A. Tier 1 Criteria**

Tier 1 criteria are rated either “yes” or “no” and serve as a baseline by DHSES to determine if applicants are eligible and have appropriately submitted all the required application materials prior to review by the multi-agency review committee. If any of the answers are “no”, the application will be immediately disqualified without further review and will not be considered for an award.

1. Was the application submitted on time?
2. Was the application submitted via E-Grants?
3. Is the application complete, including the **required** RFA Worksheet? (the RFA Worksheet must be attached in E-Grants by the submission due date)
4. Did the application meet the eligibility requirements (from a county or local unit of government, and a registered member of the MS-ISAC)?

**B. Tier 2 Criteria**

Applications meeting the Tier 1 review set forth above will be reviewed and evaluated competitively using the criteria specified below. Scores per criterion will be totaled to establish a ranked list of eligible applications for consideration for awards. At the sole discretion of DHSES, applicants may be disqualified due to untimely submission of any requested supporting documentation.
<table>
<thead>
<tr>
<th>Tier 2 Evaluation Criteria</th>
<th>Point Score Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Assessment (Self-Assessment, Threat Profile)</td>
<td>0-30 points</td>
</tr>
<tr>
<td>Budget</td>
<td>0-20 points</td>
</tr>
<tr>
<td>Capability Advancement</td>
<td>0-30 points</td>
</tr>
<tr>
<td>Multi-Year Plan</td>
<td>0-10 points</td>
</tr>
<tr>
<td>Overall Application</td>
<td>0-10 points</td>
</tr>
<tr>
<td><strong>Sub-Total</strong></td>
<td><strong>100 Points Maximum</strong></td>
</tr>
<tr>
<td>Bonus Points: Previously Unfunded Applicants</td>
<td>2 points</td>
</tr>
<tr>
<td>Grant Management Performance History</td>
<td>0-10 points (Subtracted off the top of final average score)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>102 Points Maximum</strong></td>
</tr>
</tbody>
</table>

Applications receiving the highest score based upon panel review will be selected for recommendation to the Commissioner for award. The total scores will be averaged and ranked in order from highest to lowest. The State reserves the right, for the purpose of ensuring the completeness and comparability of proposals, to analyze submissions and make adjustments or normalize submissions in the proposals, including applicant’s technical assumptions, and underlying calculations and assumptions used to support the computation of costs, or to apply such other methods, as it deems necessary to make comparisons. In the event of a tie score where one or more applicants may not be fully funded, the applicant with the highest score in the Overall Application section will be ranked higher. Proposed budgets will be reviewed, and items deemed inappropriate, unallowable, or inconsistent with project or program activities will be eliminated. Budgets that include inappropriate and/or unallowable proposed expenditures will receive a reduced score. Grants in the amount of the budgets, as adjusted, will be made to the highest-ranking applicants until funds are insufficient to fund the next ranking application in full. The State reserves the right, at its discretion, to make amendments and/or alter funding levels of one or more applicants based on any new information discovered that would have originally affected the scoring or to not award funding to any application with a final average score of 60 or less.

VII. Checklist of Required Documents

☐ Applications must be submitted to DHSES via E-Grants with the required attachments uploaded.
☐ FY2018 Cyber Security Grant Program RFA Worksheet must be submitted as an attachment in E-Grants.
☐ Verification of membership with the Multi-State Information Sharing and Analysis Center (MS-ISAC) must be submitted as an attachment in E-Grants.
VIII. Timeline

DHSES must receive completed grant applications by 5:00 p.m. on May 29, 2019. Applications received after the due date and time will not be considered. Applications must be submitted via DHSES E-Grants System. Please note that E-Grants Technical Assistance will only be available during business hours on the date the application is due. Furthermore, all written questions must be submitted to DHSES by 12:00 noon on May 22, 2019 to ensure that a timely response is provided to the applicant.

Grant applicants can expect to be notified of award decisions sometime in mid-July of 2019.

IX. Approval and Notification of Awards

The Commissioner of DHSES will provide oversight of the grant review process. The Commissioner will announce the final grant award decisions based on the review panel’s rating of applications and recommendations. DHSES will notify all applicants in writing as to final grant award determinations. Nothing herein requires or prohibits DHSES to approve grant funding for any one applicant, certain applicants, all applicants or no applicants. Any disbursement of an award is contingent upon entering into a contract with DHSES, as explained in further detail below.

Due to the competitive nature of this grant application, proposed changes to the scope of the program may not be approved post-award.

X. Administration of Grant Contracts

DHSES will negotiate and develop a grant contract with the applicant based on the contents of the submitted application and intent of the grant program as outlined in this RFA. The grant contract is subject to approval by the NYS Office of the Attorney General and the Office of the State Comptroller before grant funding may actually be disbursed to reimburse project expenses.

The anticipated period of performance for contracts supported by FY2018 Cyber Security Grant Program funds will be determined once awards have been approved but cannot extend beyond August 31, 2021. Although the contract format may vary, the contract will include such standard terms and conditions included in DHSES grant contracts available for review on the DHSES website: http://www.dhses.ny.gov/grants.

A. Issuing Agency

This RFA is issued by DHSES, which is responsible for the requirements specified herein and for the evaluation of all applications.

B. Filing an Application

Grant applications must be submitted via the automated DHSES E-Grants System. The system allows an agency to complete an application electronically and submit it over the Internet.
using a secure portal. If, upon reading this RFA, you are interested in completing a grant application and you have not previously been registered to use the DHSES E-Grants system, your agency will need to register and be assigned a user name and password. The Registration Request Form can be found at the following Internet address: http://www.dhses.ny.gov/grants.

A detailed tutorial on how to use the E-Grants system can also be found under the “Targeted Grant” tab at the Internet address above. It will guide you in a step-by-step process through the E-Grants application submission.

C. Reservation of Rights

DHSES reserves the right to:

1. Reject any and all applications received in response to this RFA;
2. Withdraw the RFA at any time at DHSES’ sole discretion;
3. Make an award under the RFA in whole or in part;
4. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA;
5. Seek clarifications and revisions of the applications;
6. Use application information obtained through site visits, management interviews and the State’s investigation of an applicant’s qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to DHSES’ request for clarifying information in the course of evaluation and/or selection under the RFA;
7. Prior to the application opening, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the application opening, direct applicants to submit application modifications addressing subsequent RFA amendments;
9. Change any of the scheduled dates;
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all the prospective applicants;
11. Waive any requirements that are not material;
12. Negotiate with successful applicants within the scope of the RFA in the best interests of the State;
13. Conduct contract negotiations with the next responsible applicant, should DHSES be unsuccessful in negotiating with the selected applicant;
14. Utilize any and all ideas submitted in the applications received;
15. Unless otherwise specified in the RFA, every offer is firm and not revocable for a period of 60 days from the application opening; and,
16. Require clarification at any time during the application process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant’s proposal and/or to determine an applicant’s compliance with the requirements of this RFA.
17. Award grants based on geographic or regional considerations to serve the best interests of the State.
18. Terminate, renew, amend or renegotiate contracts with sub-recipient at the discretion of DHSES.

19. Periodically monitor the sub-recipient's performance in all areas mentioned above, in addition to the activities in the contract.

20. Revoke funds awarded to an applicant, or enforce any available sanction against any applicant, who materially alters the activities or is in material noncompliance under the grant award, or who does not implement an approved project within 60 days of the final contract approval.

21. Recipients and sub-recipients funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the recipient or sub-recipient; and (2) the status of any corresponding recipient or sub-recipient plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.

22. Funded recipients and sub-recipients agree to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.

23. DHSES reserves the sole discretion to increase or decrease the total funding available for this program at any time, resulting in more or fewer applications funded under this RFA.

D. Term of the Contract

Any resulting contract or agreement for more than $50,000 from this RFA will be effective only upon approval by both the NYS Office of the Attorney General and State Comptroller. Any resulting contract for $50,000 and under from this RFA will be effective upon signature of both parties.

E. Payment and Reporting Requirements of Grant Awardees

1. Standard Cost Reimbursement Contract

Each successful applicant must enter into a standard cost reimbursement contract with DHSES. Such contract will include this Request for Application, the successful applicant’s proposal, any attachments or exhibits and the standard clauses required by the NYS Attorney General for all State contracts (available upon request) and any other special conditions as determined by DHSES. The contract will be subject to approval by the Attorney General and State Comptroller. Although the contract format may vary, the contract will include such clauses, information and rights and responsibilities as can be found on the DHSES website, including:

APPENDIX A-1 - Agency Specific Clauses
APPENDIX B - Budget
APPENDIX C - Payment and Reporting Schedule
APPENDIX D – Workplan/Special Conditions
For purposes of this RFA, these terms and conditions are incorporated by reference and the applicant must agree to the inclusion of all of these terms and conditions in any resulting grant contracts as part of the application submission. Copies of the standard terms and conditions included in DHSES grant contracts are available for review on the DHSES website at http://www.dhses.nv.gov/grants/forms-egrants.cfm. Payments will be made subject to proper documentation and compliance with reimbursement procedures and all other contractual requirements.

2. Compliance with State and Federal Laws and Regulations, Including Procurement and Audit Requirements

2 CFR Part 200

Recipients and subrecipients (also referred to herein as “Contractors” and “Subcontractors”) are responsible to become familiar with and comply with all state and federal laws and regulations applicable to these funds. Applicants are required to consult with the DHSES standard contract language (referenced above) for more information on specific requirements. Additionally, recipients must comply with all the requirements in 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards). Recipients are required to understand and adhere to all federal requirements. You may access 2 CFR Part 200 at: https://www.ecfr.gov/cgi-bin/text-idx?SID=6214841a79953f26c5c230d72d6b70a1&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Procurements

Additionally, Applicants must follow and comply with all procurement procedures under General Municipal Law 5A and 2 CFR Part 200, Subpart D (see 2 CFR §§200.317-.326), and/or any other state or federal regulations applicable to these funds, and will be subject to monitoring by DHSES to ensure compliance.

Single Audit

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend $750,000 or more from all Federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of U.S. Government Accountability Office’s (GAO) Government Auditing Standards, located at http://www.gao.gov/govaud/ybk01.htm, and the requirements of Subpart F of 2 CFR Part 200 located at: http://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f

Conflict of Interest

Pursuant to 2 CFR §200.112, in order to eliminate and reduce the impact of conflicts of interest in the sub award process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are also required to follow
any applicable state, local, or Tribal statutes or regulations governing conflicts of interest in the making of subawards. If the recipient does not have an existing conflict of interest policy or procedure, the recipient shall be required to adopt such a policy.

The recipient (State) must disclose to the respective Grants Representative, in writing, any real or potential conflict of interest as defined by the Federal, state, local, or Tribal statutes or regulations or their own existing policies, which may arise during the administration of the Federal award within five days of learning of the conflict of interest (see 2 CFR §200.112). Similarly, sub-recipients must disclose any real or potential conflict of interest to the pass-through entity (State) as required by the recipient’s conflict of interest policies, or any applicable state, local, or Tribal statutes or regulations.

Conflicts of interest may arise during the process of DHS/FEMA making a Federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, sub-applicant, recipient, sub-recipient, or DHS/FEMA employees.

**Contracting with Small and Minority Firms, Women’s Business Enterprise and Labor Surplus Area Firms**

Pursuant to New York State Executive Law Article 15-A, the New York State Division of Homeland Security and Emergency Services recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of New York State Division of Homeland Security and Emergency Services contracts.

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Consistent with 2 CFR §200.321, non-Federal contracting entities must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

1. Placing qualified small and minority businesses and women’s business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

For purposes of this solicitation, applicants and sub-recipients are hereby notified the State of New York has set an overall goal of 30% for MWBE participation or more, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation, based on the current availability of qualified MBEs and WBEs for your project needs.

**Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance**
Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economics of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at [https://online.ogs.ny.gov/SDVOB/search](https://online.ogs.ny.gov/SDVOB/search).

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements of applicable federal laws and regulations including 2 CFR Part 200, State Finance Law, General Municipal Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State Law. Utilizing SDVOBs in State contracts will help create more private sector jobs, rebuild New York State’s infrastructure, and maximize economic activity to the mutual benefit of the contractor and its SDVOB partners. SDVOBs will promote the contractor’s optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated public procurements.

Public procurements can drive and improve the State’s economic engine through promotion of the use of SDVOBs by its contractors. The State, therefore, expects bidders and proposers to provide maximum assistance to SDVOBs in their contract performance. The potential participation by all kinds of SDVOBs will deliver great value to the State and its taxpayers.

For purposes of this solicitation, applicants and sub-recipients are hereby notified the State of New York has set an overall goal of 6% for SDVOB participation or more.
Contractor will report on actual participation by each SDVOB during the term of the contract to the contracting agency/authority according to policies and procedures set by the contracting agency/authority.

Worker’s Compensation and Disability Benefits Insurance Coverage

Applicants must provide evidence of appropriate workers’ compensation and disability insurance coverage, or proof of a legal exemption, prior to being awarded a contract. Failure to do so will result in the rejection of the application.

3. Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

4. Vendor Responsibility

State Finance Law §163(9)(f) requires a State Agency to make a determination that an Applicant is responsible prior to awarding that Applicant a State contract which may be based on numerous factors, including, but not limited to the Applicants: (1) financial and organizational capacity; (2) legal authority to do business in this State; (3) integrity of the owners, officers, principals, members, and contract managers; and (4) past performance of the Applicant on prior government contracts. Thereafter, recipients/contractors shall at all times during the Contract term remain responsible. The Recipients/Contractor agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

a) Suspension of Work for Non-Responsibility:
   The Commissioner of DHSES or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under the Contract, at any time, when he or she discovers information that calls into question the responsibility of the Recipient. In the event of such suspension, the Recipients/Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of DHSES or his or her designee issues a written notice authorizing the resumption of performance under the Contract.

b) Termination for Non-Responsibility:
   Upon written notice to the Recipients/Contractor, and a reasonable opportunity to be heard by appropriate DHSES officials or staff, the Contract may be
terminated by the Commissioner of DHSES or his or her designee at the
Contractor’s expense where the Recipients/Contractor is determined by the
Commissioner of DHSES or his or her designee to be non-responsible. In such
event, the Commissioner of DHSES or his or her designee may complete the
contractual requirements in any manner he or she may deem advisable and
pursue legal or equitable remedies for breach.

F. Satisfactory Progress

Satisfactory progress toward implementation includes, but is not limited to; executing
contracts and submitting payment requests in a timely fashion, retaining consultants,
completing plans, designs, reports, or other tasks identified in the work program within
the time allocated for their completion. DHSES may recapture awarded funds if
satisfactory progress is not being made on the implementation of a grant project.

G. General Specifications

By submitting the application, the applicant attests that:

1. Applicant has express authority to submit on behalf of the applicant’s agency.
2. Submission of an application indicates the applicant’s acceptance of all
   conditions and terms contained in this RFA, including Appendices A-1 and C, and
   all other terms and conditions of the award contract.
3. The application and any resulting grant, if awarded, must adhere to, and be in
   full compliance with any, resulting contract(s) and relevant federal and states
   policies and regulations or be subject to termination.
4. Any not-for-profit recipients are required to be prequalified, prior to contract
   execution, by the State of New York upon application submission through the
   New York State Grants Gateway (https://grantsgateway.ny.gov)

H. Special Conditions

New York State Emergency Management Certification and Training Program

1. Participation in, and successful completion of, the New York State Emergency
   Management Certification and Training Program (EMC Training Program) is a
   mandatory requirement under this Contract and a condition of funding. The EMC
   Training Program will be made available to, and required for, DHSES-specified
   county and city government officials in order to ensure a consistent emergency
   management preparedness and response strategy across the State. Attendee
   substitutions, except as expressly approved by DHSES, shall not be permitted or
   deemed to be in compliance with this requirement.

2. To fulfill the EMC Training Program requirement of the Contract and in order to
   be eligible for funding under this Contract, Contractors must arrange for DHSES-
   specified Contractor employees to receive and acknowledge receipt of EMC
Training no later than 180 days after execution of this Contract. Copies of the training certificates for each required participant must be submitted to DHSES upon execution of the Contract, or, in the event that training is scheduled, but not yet complete, the Contractor will be required to submit a signed statement indicating the scheduled future dates of attendance, and no later than thirty (30) days after the training is complete, forward such training certificates to DHSES. Continued compliance with the EMC Training Program also requires an annual refresher training of one day per 365 day-cycle from the date of initial training for previously trained individuals if such person remains employed by the Contractor and fulfilling the same functions as he or she fulfilled during the initial training. Should a new employee be designated to serve in the DHSES-specified positions, then he or she must come into compliance with the EMC Training Program requirements not later than 180 days after taking office.

3. Contractors must commit to active participation in a DHSES Annual Capabilities Assessment as a condition of funding. Active participation includes making reasonable staff, records, information, and time resources available to DHSES to perform the Annual Capabilities Assessment and meet the objectives and goals of the program. Recipients must be aware that the process of conducting a DHSES Annual Risk Assessment is an ongoing process and requires a continued commitment on the part of the Contractor to ensure that it is effective.

4. All recipients and sub-recipients funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the recipients or sub-recipients; and (2) the status of any corresponding recipients or sub-recipients plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.

5. Additionally, pursuant to Article 26 of the NYS Executive law, DHSES is authorized to undertake periodic drills and simulations designed to assess and prepare responses to terrorist acts or threats and other natural and man-made disasters. Funded recipients and sub-recipients agree to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.

6. Failure to comply with any of the requirements, as listed above, may result in sanctions up to and including the immediate suspension and/or revocation of the grant award.

7. A debriefing is available to any entity that submitted a proposal or bid to a solicitation (“Bidder”). A Bidder will be accorded fair and equal treatment with respect to its opportunity for debriefing. Debriefing shall be requested in writing by the unsuccessful Bidder within 5 business days of DHSES publicly releasing the
final awards decisions. An unsuccessful Bidder’s written request for a debriefing shall be submitted to DHSES Director of Grants Program Administration. The debriefing shall be scheduled with 10 business days of receipt of the written request by DHSES or as soon as practicable under the circumstances.

XI. Questions

Questions regarding the FY2018 Cyber Security Grant Program should be directed to the following e-mail address Grant.Info@dhes.ny.gov. To the degree possible, each inquiry should cite the RFA section and paragraph to which it refers. Written questions will be accepted until 12:00 noon on May 22, 2019.

Updates and frequently asked questions will be posted on the NYS Division of Homeland Security and Emergency Services (DHSES) website: http://www.dhsses.ny.gov/grants/targeted.cfm. Please check the website frequently for updates.

All questions regarding the E-Grants System should be directed to DHSES via e-mail (Grant.Info@dhes.ny.gov) or telephone (866-837-9133). No technical assistance will be available after 5:00pm on May 29, 2019.
Exhibit A: Allowable Costs Matrix

Reminder: Allowable costs for the FY2018 Cyber Security Grant Program are more restrictive than the more general State Homeland Security Program (SHSP) because of the specialized nature of this targeted grant program. Please note that Organizational, Management & Administrative (M&A) as well as Construction costs, and the hiring of Personnel are not allowable under the FY2018 Cyber Security Grant Program.

Personnel Cap: Under the FY2018 Cyber Security Grant Program, there is a 50% cap on personnel costs. Personnel Costs include OT/Backfill for Training and Exercises and most Consultant Costs (unless the consultant is developing defined deliverable or installing equipment).

<table>
<thead>
<tr>
<th>Planning Costs</th>
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<tbody>
<tr>
<td>Public education &amp; outreach</td>
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<tr>
<td>Develop and enhance plans and protocols</td>
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<tr>
<td>Develop and conduct assessments</td>
</tr>
<tr>
<td>Hiring of contractors/consultants to assist with planning activities</td>
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<tr>
<td>Conferences to facilitate planning activities</td>
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<tr>
<td>Materials required to conduct planning activities</td>
</tr>
<tr>
<td>Travel/per diem related to planning activities</td>
</tr>
<tr>
<td>Overtime, backfill and fringe costs</td>
</tr>
</tbody>
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<tr>
<th>Equipment Categories AE link: <a href="https://www.fema.gov/100467ae-100467ae-100467ae">https://www.fema.gov/100467ae-100467ae-100467ae</a></th>
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</thead>
<tbody>
<tr>
<td>Biometric User Authentication Devices</td>
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<tr>
<td>Remote Authentication Systems</td>
</tr>
<tr>
<td>Encryption Software</td>
</tr>
<tr>
<td>Data Transmission Encryption Systems</td>
</tr>
<tr>
<td>Forensic Software (for purposes of analysis and investigation of cyber-related incidents)</td>
</tr>
<tr>
<td>Malware Protection Software</td>
</tr>
<tr>
<td>Firewalls (Personal and Network)</td>
</tr>
<tr>
<td>Intrusion Detection/Prevention System</td>
</tr>
<tr>
<td>Vulnerability Scanning Tools</td>
</tr>
<tr>
<td>Hardware, Computer, Integrated (hardware components that will protect against cyber security threats)</td>
</tr>
<tr>
<td>Other Items</td>
</tr>
</tbody>
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<tr>
<th>Training Costs</th>
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</thead>
<tbody>
<tr>
<td>Overtime &amp; backfill for personnel attending FEMA-sponsored &amp; approved training classes &amp; technical assistance programs</td>
</tr>
<tr>
<td>Training workshops &amp; conferences</td>
</tr>
<tr>
<td>Travel</td>
</tr>
<tr>
<td>Hiring of contractors/consultants</td>
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<tr>
<td>Supplies</td>
</tr>
<tr>
<td>Exercise Costs</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
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<tr>
<td>Design, Develop, Conduct &amp; Evaluate an Exercise</td>
</tr>
<tr>
<td>Exercise planning workshop</td>
</tr>
<tr>
<td>Hiring of contractors/consultants</td>
</tr>
<tr>
<td>Overtime &amp; backfill costs, including expenses for personnel participating in FEMA exercises</td>
</tr>
<tr>
<td>Implementation of HSEEP</td>
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<tr>
<td>Travel</td>
</tr>
<tr>
<td>Supplies</td>
</tr>
</tbody>
</table>

### Unallowable Costs

<table>
<thead>
<tr>
<th>Unallowable Costs</th>
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</thead>
<tbody>
<tr>
<td>Hiring of full or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, compliance with reporting &amp; data collection requirements</td>
</tr>
<tr>
<td>Development of operating plans for information collection &amp; processing necessary to respond to FEMA data calls</td>
</tr>
<tr>
<td>Overtime and backfill costs</td>
</tr>
<tr>
<td>Travel</td>
</tr>
<tr>
<td>Meeting related expenses</td>
</tr>
<tr>
<td>Authorized office equipment</td>
</tr>
<tr>
<td>Recurring expenses such as those associated with cell phones &amp; faxes during the period of performance of the grant program</td>
</tr>
<tr>
<td>Leasing or renting of space for newly hired personnel during the period of performance of the grant program</td>
</tr>
<tr>
<td>Overtime for information, investigative, &amp; intelligence sharing activities</td>
</tr>
<tr>
<td>Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis &amp; sharing groups or fusion center activities</td>
</tr>
<tr>
<td>All Construction Costs</td>
</tr>
</tbody>
</table>
Exhibit B: MS-ISAC Membership
(Requirement for Grant Applicants)

Overview: The Multi-State Information Sharing and Analysis Center (MS-ISAC) is a program area of the Center for Internet Security and is funded by the U.S. Department of Homeland Security. The MS-ISAC has been designated as the key resource for cyber threat prevention, protection, response and recovery for the nation’s state, local, tribal and territorial (SLTT) governments. Through its state-of-the-art 24/7 Security Operations Center, the MS-ISAC serves as a central resource for situational awareness and incident response for these SLTT governments.

There is no cost to become a member of the MS-ISAC. The only requirement to enroll as a member organization is completion of online registration at the following link:

https://learn.cisecurity.org/ms-isac-registration

MS-ISAC Member Benefits:

- 24/7 Security Operations Center (SOC)
- Incident response assistance
- Cybersecurity exercises
- Cybersecurity advisories & daily tips
- Cyber event notifications
- Awareness/education materials
- Vulnerability assessment services
- Secure portals for communication & document sharing
- Member initiatives & collaborative resources
- Malicious Code Analysis Platform (MCAP)
- Monthly newsletters, webinars & threat briefings
- Alert status map
- Cyber threat information & analytical products
- Free CIS SecureSuite membership
- Discounts on training and other products through the CIS CyberMarket
- Nationwide Cyber Security Review (NCSR)
- Vulnerability Management Program (VMP)
Exhibit C: Cyber Security Resources for Local Governments

Nationwide Cyber Security Review (NCSR)

The NCSR is a voluntary self-assessment survey designed to evaluate an organization’s cybersecurity management practices. Available annually, the NCSR generates customized reports to help participants understand their cyber security maturity. Recommendations for cyber improvements and summary reports gauging security measures against peers, using anonymized data, are also included. More information is available at https://msisac.cisecurity.org/resources/nCSR/. Please contact NCSR@cisecurity.org or (518) 880-0736 to sign up for the NCSR.

NYS Intelligence Center (NYSIC)

Cyber Analysis Unit (CAU) – The NYSIC-CAU provides a variety of strategic, tactical, and technical intelligence in the form of intelligence bulletins or email and phone notifications. In order to receive these products and resources please contact the CAU at (518) 786-2191 or CAU@nysic.ny.gov.

NYS Office of Information Technology Services (ITS)

Local Government Cyber Security Guidelines – Provides detailed analyses and reports for how local governments should structure an effective cyber security program and is available at http://its.ny.gov/local-government.

Awareness, Training, and Events – Provides training videos, best practices, and other offerings on education, awareness, and events and is available at http://its.ny.gov/awarenesstrainingevents.

ITS Policies, Standards, and Guidelines – Provides a menu of ITS security policies that local governments can scale and replicate for their cyber security programs and is available at https://www.its.ny.gov/eiso/policies/security.

Information Classification Resources – An important step in your cyber security program is identifying information assets in your organization, classifying them and determining controls for protecting them. An information classification toolkit is available at http://its.ny.gov/information-classification-resources.

Vulnerability Scanning – Web Application Scanning (WAS) is used to identify known security vulnerabilities in web applications, such as cross-site scripting, SQL injection, command execution, directory traversal and insecure server configuration. For more information please contact the EISO Vulnerability Management team at EISO.vm@its.ny.gov.

Secure System Development Life Cycle (SSDLC) Resources – The SSDLC defines security requirements and tasks that must be considered and addressed within every system, project or application that are created or updated to address a business need. An SSDLC toolkit is available at http://its.ny.gov/secure-system-development-life-cycle-standard.

NYS Office of General Services (OGS)

IT Umbrella, System Integration, Project Consulting, Manufacturing, Distribute – This group of contracts includes three different umbrella contracts that municipalities can use to procure cyber security technology
and services from accredited contractors and is available at
For other IT contracting questions please contact OGS Procurement Services at (518) 474-6717 or
customer.services@ops.ny.gov.

U.S. Department of Homeland Security (DHS)

DHS Cyber Hygiene (CyHy) Program – Provides an assessment encompassing continuous configuration error
and vulnerability scanning of public, internet-facing information systems. A report is provided to
participants on a recurring basis which includes remediation and mitigation recommendations to address
identified vulnerabilities. This service is free. Contact SLTTCyber@hq.dhs.gov to request these services.

Risk and Vulnerability Assessments (RVA) – Provides a broader suite of cyber security services than the
CyHy Program, including penetration testing, social engineering, wireless discovery and identification,
database scanning, and operating system scanning. This is recommended for larger organizations. This
service is free, and a report is provided to participants annually. Contact SLTTCyber@hq.dhs.gov to request
these services.

DHS Cyber Resilience Review (CRR) – The CRR is a non-technical assessment to evaluate an organization’s
operational resilience and cybersecurity practices. The CRR may be conducted as a self-assessment or as an
on-site assessment facilitated by DHS cybersecurity professionals and is available at https://www.us-
cert.gov/ccu/dsdp/assessments.

DHS Cyber Infrastructure Survey Tool (C-IST) – The C-IST is a facilitated assessment of cyber security
controls related to critical IT services. The C-IST is intended to assist government and private sector
participants in surveying cyber protection in 5 domains. More information is available at

DHS External Dependencies Management (EDM) Assessment – The EDM Assessment is a non-technical
facilitated assessment to help stakeholders assess and manage risks arising from external dependencies,
specifically dependencies on the information and communication technology service supply chain. More
information is available at
http://static1.1.soscdn.com/static/f/869587/26055675/1426700102660/EDM+Fact+Sheet+2014.pdf?token=yp1-A0bfcc1qlooca1q%2BCx%2D%3D.

Industrial Control Systems Cyber Emergency Response Team (ICS-CERT) Assessments – ICS-CERT performs
cyber assessments to safeguard the nation’s critical infrastructure. These assessments are available at
https://ics-cert.us-cert.gov/Assessments.

Federal Cyber Incident Unified Message – This message provides useful points of contact in the federal
government as well as detailed descriptions of when to report cyber incidents, what to report, how to
report, and types of federal responses, and it is available at

Federal Ransomware Guidance – This guide has preventive and response advice for ransomware, and it is
available at https://www.us-cert.gov/sites/default/files/publications/Ransomware_Executive_One-
Exhibit D: Best Practices for Preparing an Effective Grant Application

What to do when you have received the Request for Applications (RFA):

- It is important to start early in preparing your application, highlighting deadlines and/or tasks that must be completed as part of the application process.

- Review all plans, strategies, policies and documents related to the grant you are applying for to ensure you can appropriately address the goals and objectives pertaining to the nature of the grant opportunity.

What to do when you are completing the application:

- Ensure that the proposed budget is realistic, reasonable, and articulate how your budget will address the objectives of the grant opportunity.

- Review and evaluate the scoring criteria. Pay close attention to the sections that are weighted the most first as they have a greater impact on your overall score.

- If your grant application requires you to reference goals and/or objectives, make sure the goals and objectives you cite are measurable. Goals should reflect the long-term and global impact of a program or project. Meanwhile, objectives should be specific and measurable building blocks designed to meet your goals.

- Create an evaluation plan that demonstrates how you will assess your proposed projects for effectiveness and/or meeting the objectives of the grant opportunity, even if such a plan is not required.

- Address steps that will be taken to institutionalize, sustain, or enhance the capabilities or proposed project being developed after grant funding has been exhausted.

What to do prior to submitting your application:

- Make sure that you have completed all the required sections of the application. Applicants are strongly recommended to share their completed applications with a colleague to ensure that the application is clearly written and addresses all the objectives of the grant opportunity.
May 28, 2019

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

Dear Mr. Joyce:

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

Legislative approval is required in order to allow the Albany County Sheriff’s Office to apply for $8,000.00 in grant funding from the New York State Canal Corporation as reimbursement for expenses related to patrolling the waterways within Albany County which are contiguous to the New York State Canal System. There is a 25% match to this grant.

The term of this contract will be April 1, 2019 through March 31, 2020.

By utilizing this fund source we will be able to recuperate 75% of the funds spent on the normal patrolling of these waterways.

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

Sincerely,

Craig D. Apple, Sr.
Sheriff

Att: Hon. Daniel P. McCoy, County Executive
     Hon. Paul Miller, Public Safety Chairman
     Hon. Dr. Charles Dawson, Audit & Finance Committee
     Kevin Cannizzaro, Esq., Majority Counsel
     Arnis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

DATE: MAY 29, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF'S DEPT

CONTACT PERSON: SHERIFF CRAIG D APPLE SR
TELEPHONE: 518-447-5440
DEPT. REPRESENTATIVE ATTENDING COMMITTEE MEETING: CRAIG D APPLE SR

PURPOSE OF REQUEST:
ADOPTION OF LOCAL LAW
AMENDMENT OF PRIOR LEGISLATION
APPROVAL/ADOPTION OF PLAN/PROCEDURE
BOND APPROVAL
BUDGET AMENDMENT (SEE BELOW)
CONTRACT AUTHORIZATION (SEE BELOW)
ENVIRONMENTAL IMPACT
HOME RULE REQUEST
PROPERTY CONVEYANCE
X OTHER: (STATE BRIEFLY IF NOT LISTED ABOVE)
TO APPLY FOR GRANT FUNDS FROM THE NYS CANAL CORP FOR THE PERIOD FROM 4/1/2019 THRU 3/31/2020

CONCERNING BUDGET AMENDMENTS
STATE THE FOLLOWING:
INCREASE ACCOUNT/LINE NO.
TITLE CHANGE:

CONCERNING CONTRACT AUTHORIZATION,
STATE THE FOLLOWING:

<table>
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<tr>
<th>TYPE OF CONTRACT</th>
<th>CHANGE ORDER/CONTRACT AMENDMENT</th>
<th>PURCHASE (EQUIPMENT/SUPPLIES)</th>
<th>LEASE (EQUIPMENT/SUPPLIES)</th>
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<tr>
<td>OTHER: (STATE BRIEFLY)</td>
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</table>
CONCERNING CONTRACT AUTHORIZATION (CONT'D)

STATE THE FOLLOWING:

CONTRACT TERMS/CONDITIONS: PARTY (NAME/ADDRESS):
NYS CANAL CORP
30 SOUTH PEARL STREET, ALBANY, NY 12207-2058

AMOUNT/RATE SCHEDULE/FEES: $8,000 WITH A COUNTY MATCH OF (25%) FOR A TOTAL OF $10,000

TERM: 4/1/2019 THRU 3/31/2020

SCOPE OF SERVICES: NYS CANAL CORP MATCH GRANT PROGRAM

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES X NO
FUNDING SOURCE: NYS CANAL CORPORATION
COUNTY BUDGET ACCOUNTS:
REVENUE: A3110.03315
APPROPRIATION: PERSONNEL EXPENSE LINES
BOND (RES. NO. & DATE OF ADOPTION)

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE: YES NO X
IF MANDATED CITE: AUTHORITY

ANTICIPATED IN CURRENT ADOPTED BUDGET: YES X NO
IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS:

FISCAL IMPACT - FUNDING: (DOLLARS OR PERCENTAGES)

FEDERAL
STATE 75%
COUNTY 25%
TERM/LENGTH OF FUNDING

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER: 290 OF 2017 (COPY ATTACHED)
DATE OF ADOPTION: 7/10/2017

JUSTIFICATION: (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

THIS GRANT WILL ALLOW THE SHERIFF'S DEPT. TO RECOUP A PORTION OF THE FUNDS SPENT ON THE NORMAL PATROLLING OF OUR WATERWAYS

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

SUBMITTED BY: CRAIG D APPLE SR
TITLE: SHERIFF
May 10, 2019

Hon. Craig D. Apple
Albany County Sheriff
Albany County Courthouse
Albany, NY 12207

Re: 2019-20 Marine Patrol Grant – Albany County

Dear Sheriff Apple:

The New York State Canal Corporation is pleased to announce the availability of funding for 2019-20 for matching grants to support new and existing local patrols on the Canal and Canalway Trail. Matching grants of up to $40,000 will be available for local agencies which establish, operate, or expand public safety patrols under the following criteria:

- Patrol services shall be provided during operational hours of the canals, and additional coverage during planned local events (a final calendar of events is not available at this time). On-call hours will be needed for issues that arise outside of normal business hours. Standard hours of operation for the 2019 navigation season are May 17th to October 16th, 7:00 a.m. to 5:00 p.m. (exceptions to standard operating hours can be found on the “Hours of Operation” page on the Canal Corporation’s website — http://www.canals.ny.gov/boating/hours.html).

- Marine Patrols must patrol waters on, or contiguous to, the current and historical alignments of the New York State Canal System, cover the entirety of their determined jurisdiction, and provide supporting documentation of doing so.

- All officers assigned to patrols of the Canal or Canalway Trail supported by Canal Corporation funding must have appropriate certifications and accreditations for the operation of equipment utilized in the course of their public safety patrols.

- Local agencies must provide documentation of at least a 25 percent match of local funding to supplement that which is provided by the New York State Canal Corporation.

- All personnel must be familiar with, and have a working knowledge of, Canal Law and the Canal Corporation’s Rules and Regulations.
If your agency is interested in applying for this funding for 2019-2020, please send a letter of interest detailing the type and cost of patrol you will establish, operate, or expand with Canal Corporation funding, along with an amount of funding requested, by COB May 31, 2019 to my attention at:

Brian U. Stratton, Director  
New York State Canal Corporation  
30 South Pearl  
Albany, NY  12207

I hope you will not hesitate to contact my office with any questions regarding this opportunity to enhance the safety and overall experience of the users of our Canal System and Canalway Trail. Thank you.

Sincerely,

[Signature]

Brian U. Stratton  
Director

cc:  J. Joyce
May 28, 2019

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

Dear Mr. Joyce:

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

Legislative approval is required in order to allow Albany County to apply for grant funding from the State of New York, Division of Homeland Security and Emergency Services, 2018 Technical Rescue and Urban Search and Rescue Program.

The grant application for the Albany County Sheriff’s Office is a maximum of $150,000.00, with no match. These grant funds, if awarded, will be utilized for the purchase of equipment utilized by multi-discipline responders when responding to a structural collapse, rope rescue or trench rescue operation.

The performance period for this grant is from the date of contract execution to 08/31/21.

There are no matching funds required.

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

Sincerely,

Craig D. Apple, Sr.
Sheriff

Att.

cc: Hon. Daniel P. McCoy, County Executive
Hon. Paul Miller, Public Safety Chairman
Hon. Dr. Charles Dawson, Audit & Finance Committee
Kevin Cannizzaro, Esq., Majority Counsel
Arnis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

DATE: MAY 29, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF’S DEPT

CONTACT PERSON: CRAIG D APPLE SR
TELEPHONE: 487-5440

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

PURPOSE OF REQUEST:
ADOPTION OF LOCAL LAW
AMENDMENT OF PRIOR LEGISLATION
APPROVAL/ADOPTION OF PLAN/PROCEDURE
BOND APPROVAL
BUDGET AMENDMENT (SEE BELOW)
CONTRACT AUTHORIZATION (SEE BELOW)
ENVIRONMENTAL IMPACT
HOME RULE REQUEST
PROPERTY CONVEYANCE
OTHER: (STATE BRIEFLY IF NOT LISTED ABOVE) X
TO APPLY FOR THE 2018 TECHINAL RESCUE & URBAN
SEARCH AND RESCUE GRANT FROM THE NYS DEPT. OF HOMELAND SECURITY.

CONCERNING BUDGET AMENDMENTS
STATE, THE FOLLOWING
INCREASE ACCOUNT/LINE NO. ______________________________________
SOURCE OF FUNDS: ____________________________________________
TITLE CHANGE: _____________________________________________

CONCERNING CONTRACT AUTHORIZATION,
STATE THE FOLLOWING:

<table>
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<td>EDUCATIONAL/TRAINING</td>
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</tbody>
</table>

RENEWAL
SUBMISSION DEADLINE DATE 5/29/2019

SETTLEMENT OF A CLAIM
RELEASE OF LIABILITY
OTHER: (STATE BRIEFLY)
CONCERNING CONTRACT AUTHORIZATION (CONT'D)

STATE THE FOLLOWING:

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

JEROME HAUER, COMMISSIONER
DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES
1220 WASHINGTON AVENUE, BLDG 7A, SUITE 710, ALBANY 12242

AMOUNT/RATE SCHEDULE/FEES:

$149,873 (WITH NO MATCH)

TERM:  9/1/19-3/31/21

SCOPE OF SERVICES:

THESE GRANT FUNDS WILL BE USED TO PURCHASE EQUIPMENT TO ENHANCE THE CAPABILITIES OF OUR SEARCH AND RESCUE TEAM.

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET:  YES  ·  NO  X

FUNDING SOURCE:  NYS Dept. of Homeland Security

COUNTY BUDGET ACCOUNTS:

REVENUE:  A3310.04306 (HOMELAND SECURITY)

APPROPRIATION:  A93110.22750 (SECURITY EQUIPMENT)

BOND (RES. NO. & DATE OF ADOPTION)

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE:  YES  ·  NO  X

IF MANDATED CITE AUTHORITY

ANTICIPATED IN CURRENT ADOPTED BUDGET:  YES  ·  NO  X

IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS:

FISCAL IMPACT - FUNDING:  (DOLLARS OR PERCENTAGES)

FEDERAL

STATE  100%

COUNTY

TERM/LENGTH OF FUNDING:  9/1/2019-3/31/2021

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER:  482 OF 2016 (COPY ATTACHED)

DATE OF ADOPTION:  11/14/2016

JUSTIFICATION:  (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

THIS GRANT WILL BE USED PURCHASE EQUIPMENT WHICH WILL ENHANCE THE CAPABILITIES OF OUR REGIONAL SEARCH AND RESCUE TEAMS.

ALSO, THERE ARE NO MATCHING FUNDS INVOLVED WITH THIS GRANT.

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

SUBMITTED BY:  CRAIG D APPLE SR

TITLE:  SHERIFF
<table>
<thead>
<tr>
<th>Contacts</th>
<th>Technical Rescue Grant Program</th>
</tr>
</thead>
</table>
| Philip Calderone  
Deputy County Executive  
112 State St  
Albany, NY 12207  
Phone: 518-447-2521, Ext: Fax  
Email: philip.calderone@albanycounty.ny.gov | Project Start:  
Project End:  
Project Period:  
Submission Date: 05/28/2019 |
| Mr. Douglas C. Miller  
Albany County Courthouse  
Albany, NY 12207  
Phone: (518) 487-5022, Ext: Fax: (518) 487-5835  
Email: doug.miller@albanycounty.ny.gov | EIN: 14-6002563  
Municipality No: 01010000000  
Dun & Bradstreet No: 090536653  
Charities Registration No: _ Not For Profit  
_Sectarian Entity |
| Mr. Craig D. Apple  
Sheriff  
16 Eagle Street  
Room 97  
Albany, NY 12207  
Phone: (518) 487-5435, Ext: Fax: (518) 487-5817  
Email: capple@albanycounty.com | County: Albany  
Region: Capital District |
| John T. Cox  
Finance  
16 Eagle Street  
Albany, NY 12207  
Phone: 518-487-5887, Ext: Fax:  
Email: John.Cox@albanycounty.ny.gov | BUDGET SUMMARY  
Grant Funds: $149,973.00  
Matching Funds: $0.00  
Total Funds: $149,973.00 |
Homeland Security and Emergency Services

FY2018 Technical Rescue & Urban Search and Rescue Grant Program
Request for Applications (RFA)

Application Deadline: May 29, 2019 by 5:00 pm

In order to ensure adequate time to respond, substantive written questions regarding this Request for Applications will be accepted until 12:00 noon on May 22, 2019

Technical Assistance for E-Grants will not be available after 5:00 pm on May 29, 2019
May 9, 2019

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

Re: Request for Legislative Action
Grant Approval

Andrew

Enclosed please find the Albany County Sheriff’s Office Request for Legislative Action relative to the above captioned.

Briefly, this request will authorize the Albany County Executive to apply for a grant for incurring costs due to the incarceration of undocumented criminal aliens. The United States Department of Justice, Bureau of Justice Assistance has made available assistance to states and local governments that are affected by incarceration costs for criminal aliens through the State Criminal Alien Assistance Program (SCAAP). The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) states these funds must be used for Correctional purposes only.

Please present the enclosed at the next available Legislative Meeting for consideration and action. Thank you and if you have any questions, please feel free to contact me.

Sincerely,

Craig D. Apple, Sr.
Sheriff

Cc. Hon. Daniel P. McCoy, County Executive
    Hon. Paul Miller, Public Safety Chairman
    Hon. Dr. Charles Dawson, Audit & Finance Committee
    Kevin Cannizzaro, Esq., Majority Counsel
    Arnis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

DATE: May 9, 2019
DEPARTMENT: Albany County Sheriff’s Office / Correctional Facility
Contact Person: Sheriff Craig D. Apple, Sr.
Telephone: 487-5440
Dept. Representative Attending Committee Meeting: Sheriff Craig D. Apple, Sr.

PURPOSE OF REQUEST:
Adoption of Local Law
Amendment of Prior Legislation
Approval/Adoption of Plan/Procedure
Bond Approval
Budget Amendment (See below)
Contract Authorization (See below) X
Environmental Impact
Home Rule Request
Property Conveyance
Other: (State briefly if not listed above)

CONCERNING BUDGET AMENDMENTS
STATE THE FOLLOWING:
Increase Account/Line No:
Source of Funds:
Title Change:

CONCERNING CONTRACT AUTHORIZATION
STATE THE FOLLOWING:

TYPE OF CONTRACT
Change Order/Contract Amendment
Purchase (Equipment / Supplies)
Lease (Equipment / Supplies)
Requirements
Professional Services
Educational / Training
Grant: New X
Renewal
Submission Deadline Date May 23, 2019

Settlement of a Claim
Release of Liability
Other: (State briefly)
CONCERNING CONTRACT AUTHORIZATION (Cont’d)

STATE THE FOLLOWING:

Contract Terms/Conditions:
(Party Name/Address):

**US Dept. of Justice, Bureau of Justice Assistance**

810 7th Street, N.W. – SCAAP

Washington, DC 20531

Amount/Rate Schedule/Fee:

$25,000 (estimate)

Term: **July 1, 2017 through June 30, 2018**

Scope of Services: **Reimbursement for incurring costs due to the incarceration of undocumented criminal aliens.**

Contract Funding:

Anticipated in Current Budget: Yes ______ No **X**

Funding Source: **US Dept. of Justice**

County Budget Accounts:

Revenue:

Appropriation: **A93150.22750**

Bond (Res. No. & Date of Adoption)

CONCERNING ALL REQUESTS:

Mandated Program / Service: Yes ______ No **X**

If Mandated Cite: Authority

Anticipated in Current Adopted Budget: Yes ______ No **X**

If yes, indicate Revenue/Appropriation Accounts:

Fiscal Impact - Funding: (Dollars or Percentages)

Federal

State

County

Term/Length of Funding **July 1, 2017 through June 30, 2018**

Previous Requests For Identical of Similar Action:

Resolution/Law Number: #561 #157 #160 #193 #176 #153


Justification: (State briefly why legislative action is requested)

To authorize Albany County to apply for a reimbursement grant for incurring costs due to the incarceration of undocumented criminal aliens.

Back-up Material Submitted (i.e., application/approval notices from funding source, bid tabulation sheet, civil service approval notice, program announcement, contracts and/or any materials which explain or support the request for legislative action.)

Submitted By: **Craig D. Apple Sr.**

Title: **Sheriff**
May 6, 2019

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

Dear Mr. Joyce:

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

Legislative approval is required in order to allow the Albany County Sheriff’s Office to apply for funding from the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications. The attached announcement is for the “Public Safety Answering Points (PSAP) Operations Grant Program”.

The term of this contract will be 12 months from the date of the award of the contract.

These funds will assist with the costs involved in maintaining our multi-jurisdictional PSAP.

There are no matching funds associated with this grant.

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

Sincerely,

Craig D. Apple Sr.  
Sheriff

Att.  
Cc:  Hon. Daniel P. McCoy, County Executive  
Hon. Paul Miller, Public Safety Chairman  
Hon. Dr. Charles Dawson, Audit & Finance Committee  
Kevin Cannizzaro, Esq., Majority Counsel  
Arnis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

DATE: MAY 7, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF'S DEPT

CONTACT PERSON: CRAIG D APPLE SR

TELEPHONE: 487-5440

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

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

To APPLY FOR 2019-2020 PSAP OPERATIONS GRANT
APPLICATION DEADLINE IS 6/7/2019

CONCERNING BUDGET AMENDMENTS
STATE THE FOLLOWING
INCREASE ACCOUNT/LINE NO.
SOURCE OF FUNDS:
TITLE CHANGE:

CONCERNING CONTRACT AUTHORIZATION,
STATE THE FOLLOWING:
TYPE OF CONTRACT
CHANGE ORDER/CONTRACT AMENDMENT
PURCHASE (EQUIPMENT/ SUPPLIES)
LEASE (EQUIPMENT/SUPPLIES)
REQUIREMENTS
PROFESSIONAL SERVICES
EDUCATIONAL/TRAINING
GRANT: NEW RENEWAL
SUBMISSION DEADLINE DATE 6/7/2019
SETTLEMENT OF A CLAIM
RELEASE OF LIABILITY
OTHER: (STATE BRIEFLY)
CONCERNING CONTRACT AUTHORIZATION (CONT'D)

STATE THE FOLLOWING:

CONTRACT TERMS/CONDITIONS:

PARTY (NAME/ADDRESS):

JEROME HAUER, COMMISSIONER
DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES
1220 WASHINGTON AVENUE, BLDG 7A, SUITE 710, ALBANY 12242

AMOUNT/RATE SCHEDULE/ FEE:

FORMULA BASED.

TERM: 1/1/20 - 12/31/20

SCOPE OF SERVICES: SUPPORTS THE OPERATIONS & SHARED SERVICES
OF MULTI-JURISDICTIONAL PSAP.

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES ____ NO X  
FUNDING SOURCE: NYS Dept. of Homeland Security

COUNTY BUDGET ACCOUNTS:
REVENUE: A33020.03308.POP20

APPROPRIATION: A93020.44036.POP20
BOND (RES. NO. & DATE OF ADOPTION) 

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/ SERVICE: YES ____ NO X
IF MANDATED CITE AUTHORITY
ANTICIPATED IN CURRENT ADOPTED BUDGET: YES ____ NO X
IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS:

FISCAL IMPACT - FUNDING: (DOLLARS OR PERCENTAGES)

FEDERAL
STATE 100%
COUNTY
TERM/LENGTH OF FUNDING 1/1/2020 - 12/31/2020

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER 18-360
DATE OF ADOPTION 8/13/2018

JUSTIFICATION: (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

THIS GRANT HELPS OFFSET SOME OF THE COSTS INVOLVED IN MAINTAINING OUR
MULTI-JURISDICTIONAL PSAP.
ALSO, THERE ARE NO MATCHING FUNDS INVOLVED WITH THIS GRANT.

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

SUBMITTED BY:
CRAIG D APPLE SR
TITLE: SHERIFF
NYS Division of Homeland Security and Emergency Services
Office of Interoperable and Emergency Communications
Announces the
2019-20 Public Safety Answering Points Operations Grant Program

The NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, is pleased to announce Public Safety Answering Points (PSAP) Operations Grant Program. The Grant allows counties to receive State support for eligible public safety call-taking and dispatching expenses. The State will provide support in the form of reimbursement for operating expenses in a PSAP, including personnel costs.

Purpose: To facilitate PSAP consolidation, regional initiatives related to 911 operations, implementation of NG911, and improvements in the operations of public safety communications; and to develop multijurisdictional PSAP compatibility throughout the state and support statewide interoperable communications for first responders, thereby improving public safety.

Eligible Applicants: Counties within New York State and New York City are eligible to apply for the 2019-2020 PSAP Operations Grant Program. Additional eligibility criteria are listed in the Request for Applications Instructions (2019-20 PSAP Operations Grant Program).

Source of Funds: This grant program is supported by the Statewide Public Safety Communications Account.

- Total Funding Available for PSAP Grant: $10 million

- Schedule of Events:
  - Submission of Written Questions – May 24, 2019
  - RFA Updates and Q&A Posting, if any – May 31, 2019
  - Applications Due – June 7, 2019 by 5:00 P.M.

All Documents for this RFA may be found on the OIEC Grants Home Page: [http://www.dhsses.ny.gov/oiec/grants/](http://www.dhsses.ny.gov/oiec/grants/)


Requirements for Submission: Please note that all applications will be required to be submitted through our E-Grants system. An Informational Webinar has been posted along with the application materials for your
Honorable Andrew Joyce  
Legislative Clerk's Office  
112 State Street, Room 710  
Albany, New York 12207

Dear Mr. Joyce:

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

Legislative approval is required in order to allow Albany County to apply for a Grant with the State of New York, Division of Homeland Security and Emergency Services, as a recipient of a 2019 Hazardous Materials Emergency Preparedness grant. Albany County is acting as fiduciary for the Capital Region Hazmat Group. The participating counties are Albany, Rensselaer and Schenectady Counties.

The grant award is for $5,172.00 per county for a total of $15,516.00. These grant funds will be utilized to cover costs for training related to Hazmat Response in a transportation environment (rail or trucks). We will use the funds to purchase a 4-gas meter training simulator, a trailer to transport the various Hazmat training props belonging to the 4-county group and to make modifications to a tank trailer to turn it into a leak simulator. The tank trailer was obtained at no cost by the hazmat group.

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

Sincerely,

Craig D. Apple Sr.
Sheriff

Cc:   Hon. Daniel P. McCoy, County Executive  
      Hon. Paul Miller, Public Safety Chairman  
      Hon. Dr. Charles Dawson, Audit & Finance Committee  
      Kevin Cannizzaro, Esq., Majority Counsel  
      Arnis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

DATE: MAY 15, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF’S OFFICE

CONTACT PERSON: SHERIFF CRAIG D APPLE SR
TELEPHONE: 518-447-5440
DEPT. REPRESENTATIVE ATTENDING SHERIFF CRAIG D APPLE SR
COMMITTEE MEETING:

PURPOSE OF REQUEST:
ADOPTION OF LOCAL LAW
AMENDMENT OF PRIOR LEGISLATION
APPROVAL/ADOPTION OF PLAN/PROCEDURE
BOND APPROVAL
BUDGET AMENDMENT (SEE BELOW)
CONTRACT AUTHORIZATION (SEE BELOW)
ENVIRONMENTAL IMPACT
HOME RULE REQUEST
PROPERTY CONVEYANCE
OTHER: (STATE BRIEFLY IF NOT LISTED ABOVE) X
GRANT APPLICATION TO THE NYS DIVISION OF HOMELAND SECURITY FOR 2019 HMEP
GRANT PROGRAM, SEEKING LEGISLATIVE APPROVAL FOR GRANT APPLICATION.

CONCERNING BUDGET AMENDMENTS
STATE THE FOLLOWING:
INCREASE ACCOUNT/LINE NO.
SOURCE OF FUNDS:
TITLE CHANGE:

CONCERNING CONTRACT AUTHORIZATION,
TYPE OF CONTRACT
CHANGE ORDER/CONTRACT AMENDMENT
PURCHASE (EQUIPMENT/ SUPPLIES)
LEASE (EQUIPMENT/SUPPLIES)
REQUIREMENTS
PROFESSIONAL SERVICES
EDUCATIONAL/TRAINING
GRANT: NEW
RENEWAL
SUBMISSION DEADLINE DATE
SETTLEMENT OF A CLAIM
RELEASE OF LIABILITY
OTHER: (STATE BRIEFLY)
CONCERNING CONTRACT AUTHORIZATION (CONT'D)

STATE THE FOLLOWING:

PARTY (NAME/ADDRESS):
NYS DIVISION OF HOMELAND SECURITY, ATT: SHELLY WAHRlich
1220 WASHINGTON AVE., BLDG 7A
ALBANY, NY 12242

AMOUNT/RATE SCHEDULE/FEES:
$ 15,516.00

TERM: 9/30/2019 THRU 9/30/2020

SCOPE OF SERVICES: FUNDS WILL BE USED TO COVER TRAINING RELATED EXPENSES FOR THE CAPITAL REGION HAZMAT GROUP

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES NO X
FUNDING SOURCE: __________________________________________

COUNTY BUDGET ACCOUNTS: REVENUE: ________________

APPROPRIATION: __________________________

BOND (RES. NO. & DATE OF ADOPTION): ____________________

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE: YES NO X
IF MANDATED SITE: AUTHORITY: ________________
ANTICIPATED IN CURRENT ADOPTED BUDGET: YES NO X
IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS: ____________________________

FISCAL IMPACT - FUNDING: (DOLLARS OR PERCENTAGES)
FEDERAL: __________________
STATE: 100%
COUNTY: __________________
TERM/LENGTH OF FUNDING: __________________________

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:
RESOLUTION/LAW NUMBER: 416 OF 2018
DATE OF ADOPTION: 9/12/2018

JUSTIFICATION: (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)
FUNDS WILL BE USED TO COVER TRAINING RELATED EXPENSES
THERE IS A 20% MATCH FOR THIS GRANT WHICH WILL BE COVERED USING A PORTION OF THE FIRE COORD. SALARY AS THE MATCH

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

SUBMITTED BY: CRAIG D APPLE SR
TITLE: SHERIFF
Email Received from NYS Requesting Applications

Dear Emergency Preparedness Stakeholder,

I am pleased to announce that the NYS Division of Homeland Security and Emergency Services is making up to $300,000 available statewide for the 2019-20 Hazardous Materials Emergency Preparedness (HMEP) Grant Program. Funding for this program is provided by the US Department of Transportation. The period of performance for contracts supported by the 2019-20 HMEP Grant Program funds cannot be extended beyond September 30, 2020.

Counties and the City of New York are eligible to apply for $5,172 in funding to conduct hazardous materials planning and training activities. Applicants are encouraged to apply for funding in regional partnerships that align with existing HazMat regions. Funding will be allocated by formula and the Request for Applications (RFA) and related application materials are attached to this email. Materials will also be posted on the grants section of the DHSES website in the near future.

Applications are due to DHSES by May 13, 2019. Late applications will not be accepted and no extensions will be granted.

If you have any questions regarding this grant opportunity, please email grant.info@dhses.ny.gov.

Thank you in advance for your interest in this initiative.

Sincerely,

Shelley Wahrlich
Director of Grants Program Administration

NYS Division of Homeland Security & Emergency Services
1220 Washington Avenue, State Campus Building 7a
Albany, New York 12242
(518) 402-2123 (secretary Christine Houck) | shelley.wahrlich@dhses.ny.gov
www.dhses.ny.gov

**Grant/Project: Hazardous Materials**

**Grant Amount:** $15,516.00

**County:** Albany County

**Objective:** Strengthen preparedness through training and exercises

**Grant Activity Details:**
- **Activity:** [Description of activity details]
- **Estimated Cost:** $15,516.00

## Project Total Cost

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<th>Funds Associated with Activity</th>
<th>Description of Grant Activity</th>
<th>Estimated Cost</th>
<th>Match Amount</th>
<th>Total Cost</th>
<th>Grant Recipient</th>
<th>Match Recipient</th>
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**Project Total Cost:** $15,516.00

**Grant Recipient:** New York State Homeland Security and Emergency Services

**Grant Recipient Match:** $3,879.00

**Total Cost:** $19,395.00

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**Note:** This grant is funded by the Federal Emergency Management Agency (FEMA) through the Hazardous Materials Emergency Preparedness (HMEP) program. The grant is intended to support activities that enhance the state's preparedness to respond to hazardous materials incidents. The grant provides funding for training, exercises, and other activities that improve the state's ability to respond to hazardous materials incidents.