AGENDA

ALBANY COUNTY LEGISLATURE

JULY 8, 2019

PREVIOUS BUSINESS:

120. **RESOLUTION NO. 120**: PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “D” FOR 2019

By Ms. Cunningham and Mr. Reinhardt

211. **RESOLUTION NO. 211**: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO CREATE RECREATIONAL OPPORTUNITIES FOR CHILDREN

By Messrs. Simpson, Fein, Higgins and Ms. Lekakis

212. **RESOLUTION NO. 212**: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO CREATE LEARNING OPPORTUNITIES FOR DISABLED CHILDREN

By Messrs. O'Brien, Mayo, Reinhardt, Burgdorf and Ms. Lekakis

213. **RESOLUTION NO. 213**: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT FOR HOUSING REHABILITATION AND BLIGHT PREVENTION
By Messrs. Higgins, Fein and Ms. Lekakis

214. **RESOLUTION NO. 214: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO REDUCE RECIDIVISM BY SUPPORTING JAIL TRANSITION PROGRAM**

By Mr. Fein, Ms. McKnight, Messrs. Bullock, Reinhardt, Ms. Lekakis, Messrs. Clay, Higgins, Mss. Willingham, Plotsky, Mr. Simpson and Ms. Chapman

215. **RESOLUTION NO. 215: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO MAKE THE ALBANY COUNTY RAIL TRAIL SAFER**

By Mss. Cunningham and Lekakis

217. **RESOLUTION NO. 217: AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES**


220. **RESOLUTION NO. 220: PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “F” FOR 2019**

By Ms. Cunningham, Messrs. Reinhardt, and A. Joyce

221. **RESOLUTION NO. 221: AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO KEEP ALBANY COUNTY SENIORS ON THE MOVE**

By Messrs. Burgdorf, O'Brien, Mauriello, Mayo, Drake, Tunny and Ms. Lekakis

**CURRENT BUSINESS:**

255. **AUTHORIZING LEASE AGREEMENTS WITH JPS STRATEGIES, LLC, UNITED GROUP OF COMPANIES INC, GIRVIN AND FERLAZZO, PC AND FPI MECHANICAL REGARDING CORPORATE SUITE NO. 16 AT THE TIMES UNION CENTER**
256. AUTHORIZING A LEASE AGREEMENT WITH BANK OF AMERICA REGARDING CORPORATE SUITE NO. 12 AT THE TIMES UNION CENTER

By Public Works Committee

257. AUTHORIZING A LEASE AGREEMENT WITH BLUE SHIELD OF NORTHEASTERN NEW YORK REGARDING CORPORATE SUITE NO. 20 AT THE TIMES UNION CENTER

By Public Works Committee

258. AUTHORIZING AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY TO PROCEED WITH PRELIMINARY STEPS REGARDING PHOTOVOLTAIC SYSTEMS IN ALBANY COUNTY

By Public Works Committee

259. AUTHORIZING AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY REGARDING DESIGN AND CONSTRUCTION PLANS FOR THE STREETLIGHT INSTALLATION PROJECT

By Public Works Committee

260. AUTHORIZING AN AGREEMENT WITH STILSING ELECTRIC INC. REGARDING TRAFFIC LIGHT INSTALLATION ON ALBANY SHAKER ROAD

By Public Works Committee

261. AUTHORIZING AN AGREEMENT WITH RIFENBURG CONTRACTING CORP. REGARDING THE POTABLE WATER AND SANITARY WASTE WATER REMOVAL PROJECT AT LAWSON LAKE

By Public Works Committee

262. AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION REGARDING THE HOME ENERGY ASSISTANCE PROGRAM (HEAP)
By Social Services Committee

263. AUTHORIZING AN AGREEMENT WITH HOPE HOUSE, INC. REGARDING RESIDENTIAL TREATMENT SERVICES TO WOMEN WITH CHILDREN

By Social Services Committee

264. AMENDING RESOLUTION NO. 138 FOR 2019 REGARDING THE PROVISION OF FAMILY SHELTER SERVICES

By Social Services Committee

265. AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH MEYERS AND STAUFFER, LLC FOR AUDITING SERVICES REGARDING MEDICAID FRAUD, WASTE AND ABUSE

By Social Services Committee

266. AUTHORIZING AGREEMENTS REGARDING THE HEALTHY FAMILIES HOME VISITING PROGRAM AND AMENDING THE 2019 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

By Social Services Committee

267. AUTHORIZING AGREEMENTS REGARDING THE 2019 SUMMER YOUTH EMPLOYMENT PROGRAM AND AMENDING THE 2019 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

By Social Services Committee

268. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE UPSTATE MODEL FAMILY REPRESENTATION OFFICE GRANT

By Law Committee

269. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE GUN
INVOLED VIOLENCE ELIMINATION INITIATIVE GRANT AND AMENDING THE 2019 PROBATION DEPARTMENT BUDGET

By Law Committee

270. 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

By Public Safety Committee

271. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE CANAL CORPORATION REGARDING REIMBURSEMENT FOR MARINE PATROL SERVICES

By Public Safety Committee

272. 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

By Public Safety Committee

273. 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

By Public Safety Committee

274. 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

By Public Safety Committee
275. 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

By Public Safety Committee

276. AUTHORIZING THE ALBANY COUNTY SHERIFF TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF FULL-TIME AND PART-TIME PARAMEDICS AND FULL-TIME AND PART-TIME EMERGENCY MEDICAL TECHNICIANS FOR THE COUNTY'S ADVANCED LIFE SUPPORT AND EMT PROGRAMS

By Personnel Committee

277. AUTHORIZING THE DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF REGISTERED NURSE, LICENSED PRACTICAL NURSE AND CERTIFIED NURSING ASSISTANT

By Personnel Committee

278. AUTHORIZING AN AGREEMENT WITH MEGGITT TRAINING SYSTEMS, INC REGARDING THE PURCHASE OF A MOBILE RANGE TRAILER AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

By Audit and Finance Committee

279. AUTHORIZING THE ALBANY COUNTY SHERIFF TO CREATE TWO DEPUTY SHERIFF POSITIONS AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

By Audit and Finance Committee

280. AUTHORIZING AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, REGARDING REIMBURSEMENT FOR THE INCARCERATION OF CRIMINAL ALIENS AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

By Audit and Finance Committee
281. AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 510 ALBANY SHAKER ROAD (TAX MAP NO. 43.13-1-1) IN THE TOWN OF COLONIE REGARDING THE INSTALLATION OF A TRAFFIC SIGNAL

By Audit and Finance Committee

282. AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTRACTUAL EXPENSES

By Audit and Finance Committee

283. AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MARRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE ALBANY COUNTY NURSING HOME

By Audit and Finance Committee

284. AUTHORIZING AN AGREEMENT WITH TC EQUIPMENT, LLC REGARDING THE PURCHASE OF FURNITURE FOR THE ALBANY COUNTY NURSING HOME

By Audit and Finance Committee

285. AUTHORIZING AN AGREEMENT WITH STANDARD COMMERCIAL INTERIORS, LLC REGARDING THE PURCHASE, STORING AND INSTALLATION OF OFFICE FURNITURE AT THE ALBANY COUNTY NURSING HOME

By Audit and Finance Committee

286. AUTHORIZING AN AGREEMENT WITH STANDARD COMMERCIAL INTERIORS, LLC REGARDING THE PURCHASE, STORING AND INSTALLATION OF RESIDENTIAL FURNITURE AT THE ALBANY COUNTY NURSING HOME

By Audit and Finance Committee

287. AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 81 ORANGE STREET (TAX MAP NO. 76.26-1-33) IN THE CITY OF ALBANY REGARDING COUNTY SNOW REMOVAL SERVICES
By Audit and Finance Committee

288. AUTHORIZING THE CONVEYANCE OF PARCELS OF REAL PROPERTY LOCATED AT 215 SEMINOLE AVENUE, (TAX MAP NO. 64.54-4-6) 219 SEMINOLE AVENUE (TAX MAP NO. 64.54-4-7) AND 221 SEMINOLE AVENUE (TAX MAP NO. 64.54-4-8) IN THE CITY OF ALBANY

By Audit and Finance Committee

289. RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 250 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 54 BRIDGE STREET (TAX MAP NO. 121.03-2-21) AND THE PROPERTY KNOWN AS BRIDGE STREET (TAX MAP NO. 121.03-2-22) IN THE TOWN OF BETHLEHEM

By Audit and Finance Committee

290. AUTHORIZING THE RELEASE OF THE RIGHT OF REACQUISITION OF TITLE TO 10 OSBORNE STREET (TAX MAP NO. 76.56-3-16) IN THE CITY OF ALBANY

By Audit and Finance Committee

291. AUTHORIZING THE CANCELLATION AND CHARGE BACK OF UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIENS ON 344 SOUTH PEARL STREET (TAX MAP NO. 76.55-4-35) AND 89 NORTH SWAN STREET (TAX MAP NO. 65.82-2-59) IN THE CITY OF ALBANY

By Audit and Finance Committee

292. AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITIES OF ALBANY AND WATERVIET AND THE TOWNS OF BERNE, COEYMANS, COLONIE AND RENSSELAERVILLE

By Audit and Finance Committee

293. AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2018 THROUGH MARCH 31, 2019

By Audit and Finance Committee
294. AMENDING RESOLUTION NO. 248 FOR 2019 REGARDING THE CONVEYANCE OF REAL PROPERTY AT 543 NORTH PEARL STREET (TAX MAP NO. 65.44-1-4) IN THE CITY OF ALBANY

By Audit and Finance Committee

295. PUBLIC HEARING ON THE PROPOSED ALBANY COUNTY CAPITAL PROGRAM FOR 2020 – 2024

By Audit and Finance Committee

296. ADOPTING THE PROPOSED MODIFICATIONS TO ALBANY COUNTY AGRICULTURAL DISTRICT NOS. 1, 2 AND 3

By Messrs. Reinhardt and Fein

297. AMENDING RESOLUTION NO. 68 FOR 2019 REGARDING ANCILLARY LAUNDRY SERVICES FOR ELIGIBLE INDIVIDUALS IN THE EXPANDED IN HOME SERVICES TO THE ELDERLY PROGRAM (EISEP)

By Messrs. Touchette, Beston and Hogan

298. APPOINTMENT OF AN ALTERNATE MEMBER TO THE STORMWATER COALITION OF ALBANY COUNTY

By Mr. Feeney

299. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “C” FOR 2019 - A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING AND UPDATING LOCAL LAW NO. 2 FOR 2011 REQUIRING ITEM PRICING BY RETAIL STORES IN THE COUNTY OF ALBANY

By Mr. Feeney

300. AMENDING THE ALBAY COUNTY LEGISLATURE’S RULES OF ORDER REGARDING THE FISCAL IMPACT STATEMENT

By Mr. Mauriello

LOCAL LAWS:
LOCAL LAW NO. "M" FOR 2018: A LOCAL LAW OF THE COUNTY OF
ALBANY, NEW YORK AMENDING SECTION 206 OF THE ALBANY
COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS
SUBSEQUENTLY AMENDED FOR THE PURPOSE OF
RESTRUCTURING THE LEGISLATURE BY REDUCING THE NUMBER
OF LEGISLATORS

By Messrs. Higgins, Dawson, Domalewicz and
O’Brien

LOCAL LAW NO. "E" FOR 2019: A LOCAL LAW OF THE COUNTY OF
ALBANY, NEW YORK, PROHIBITING THE SALE OF FLAVORED
TOBACCO PRODUCTS

By Messrs. Miller, Clay, Ms. Cunningham, Messrs.
Ethier, Beston, Cahill, Commesso, Frainier, Ms.
McKnight, Willingham, Messrs. Mayo, Domalewicz,
Mss. Lekakis, McLean Lane, Plotsky, Messrs.
Reinhardt and Simpson
RESOLUTION NO. 120

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "D" FOR 2019

Introduced: 3/11/19
By Ms. Cunningham and Mr. Reinhardt:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "D" for 2019, "A LOCAL LAW TO INCENTIVIZE THE USE OF REUSABLE SHOPPING BAGS AND TO ELIMINATE THE USE OF SINGLE-USE PLASTIC BAGS IN ALBANY COUNTY SHOPPING ESTABLISHMENTS" be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, July 23, 2019, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Conservation, Sustainability and Green Initiatives Committees - 3/11/19
Favorable Recommendation Law Committee – 6/24/19
RESOLUTION NO. 211

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO CREATE RECREATIONAL OPPORTUNITIES FOR CHILDREN

Introduced: 5/13/19
By Messrs. Simpson, Fein, Higgins and Ms. Lekakis:

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $100,000

Increase Appropriation Account A7410.4 by $100,000 by increasing Line Item A7410 4 4449 Youth Recreation Programming by $100,000

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 212

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO CREATE LEARNING OPPORTUNITIES FOR DISABLED CHILDREN

Introduced: 5/13/19
By Messrs. O’Brien, Mayo, Reinhardt, Burgdorf and Ms. Lekakis:

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $74,895

Increase Appropriation Account A2960.4 by $74,895 by increasing Line Item A2960 4 4046 Fees for Services by $74,895

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 213

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT FOR HOUSING REHABILITATION AND BLIGHT PREVENTION

Introduced: 5/13/19
By Messrs. Higgins, Fein and Ms. Lekakis:

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $250,000

Increase Appropriation Account A3650.4 by $250,000 by increasing Line Item A3650 4 4064 Regional Land Bank by $250,000

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 214

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO REDUCE RECIDIVISM BY SUPPORTING JAIL TRANSITION PROGRAM

Introduced: 5/13/19
By Mr. Fein, Ms. McKnight, Messrs. Bullock, Reinhardt, Ms. Lekakis, Messrs. Clay, Higgins, Mss. Willingham, Plotsky, Mr. Simpson and Ms. Chapman:

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $46,500

Increase Appropriation Account A3150.4 by $46,500 by increasing Line Item A3150 4 4498 Jail Transition Program by $46,500

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 215

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO MAKE THE ALBANY COUNTY RAIL TRAIL SAFER

Introduced: 5/13/19
By Mss. Cunningham and Lekakis:

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $77,754

Increase Appropriation Account A3110.2 by $77,754 by increasing Line Item A3110 2 2080 Specialty Equipment by $77,754

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19
RESOLUTION NO. 217

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREESEnter a valid page number here

Introduced: 5/13/19
By Messrs. Comisso, A. Joyce, Feeney, Clay, Beston, Ward, Miller, Smith, Ethier, Simpson, Ms. McKnight, Messrs. R. Joyce, O'Brien, Cahill, Prainier, Touchette, Mss. Lekakis, Willingham and Chapman:

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Employees hired prior to the adoption of these rules were eligible for health insurance benefits for retirees after ten (10) years of qualifying County service, and those employees hired after the adoption of these rules were eligible for health insurance benefits for retirees after twenty (20) years of qualifying County service, and

WHEREAS, Various municipalities within the County and throughout New York State have set a lower threshold regarding the number of years of eligible service that is required before their employees become eligible for health insurance benefits during their retirement, and

WHEREAS, Instituting a lower threshold of fifteen (15) years of eligible service for health insurance benefits for retirees, rather than twenty (20) years, would serve as an incentive for current employees to continue their work in the County and may attract new employees to come to work for Albany County as well, and

WHEREAS, The Albany County Legislature has a strong history of supporting the employees of Albany County, and therefore such a reduction in years of service required in order to become eligible for health insurance benefits in retirement shall be effective and applied retroactively for all current employees of Albany County hired after the adoption of Resolution No. 136-b for 1999, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

Article IX, Section A(1)(a)(1)(a) shall read: “The employees with an employment date after the adoption of these rules must have at least fifteen (15) years of full time equivalent service with Albany County.”
Article IX Retiring Part Time Employees, Group “F” part (b) shall read:

“(b) Eligibility Criteria:
• Employees must have completed fifteen (15) years of equivalent full-time County service. Calculation of full time service uses a standard work week of not less than thirty five (35) hours per week.
• Age 55 or older.
• Enrolled in County health insurance”

and, be it further

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

Referred to Personnel and Audit and Finance Committees – 5/13/19
Favorable Recommendation Personnel Committee – 6/26/19
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 220

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "F" FOR 2019

Introduced: 5/13/19
By Ms. Cunningham, Messrs. Reinhardt and A. Joyce:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "F" for 2019, "A Local Law to Require Albany County Restaurants and Eating Establishments to Provide Straws and Plastic Cutlery Only Upon Request" be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, July 23, 2019, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Conservation, Sustainability and Green Initiatives Committees – 5/13/19
Favorable Recommendation Law Committee – 6/24/19
RESOLUTION NO. 221

AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTINGENT ACCOUNT ADJUSTMENT TO KEEP ALBANY COUNTY SENIORS ON THE MOVE

Introduced: 5/13/19  
By: Messrs. Burgdorf, O'Brien, Mauriello, Mayo, Drake, Tunny and Ms. Lekakis

WHEREAS, New York State authorizes counties, via section 365 of the County Law, to establish a Contingent Account for items not addressed at the time the budget is formulated and adopted, and

WHEREAS, Albany County has created such an account in its General Fund, and

WHEREAS, The Chair of the County Legislature has created an open and transparent process to reallocate funds budgeted in the 2018 and 2019 County Budgets from the Contingent Account to existing accounts for purposes beneficial to the residents of Albany County, and

WHEREAS, To accomplish this, an amendment to the 2019 Albany County Budget is necessary, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by decreasing Line Item A1990 4 4999 Miscellaneous Contractual Expense by $50,000

Increase Appropriation Account A6772.4 by $50,000 by increasing Line Item A6772 4 4046 Fees for Services by $50,000

and, be it further

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

Referred to Audit and Finance Committee – 5/13/19  
Favorable Recommendation Audit and Finance Committee – 6/26/19
RESOLUTION NO. 255

AUTHORIZING LEASE AGREEMENTS WITH JPS STRATEGIES, LLC, UNITED GROUP OF COMPANIES INC, GIRVIN AND FERLAZZO, PC AND FPI MECHANICAL REGARDING CORPORATE SUITE NO. 16 AT THE TIMES UNION CENTER

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, The following (Suite holders) have indicated an interest in renewing their lease of Corporate Suite No. 16 at the Times Union Center in accordance with terms and conditions approved by the County Attorney,

<table>
<thead>
<tr>
<th>Suite holder</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPS Strategies, LLC</td>
<td>27 6th Street, Waterford, NY 12188</td>
</tr>
<tr>
<td>United Group of Companies Inc.</td>
<td>300 Jordan Road, Troy, NY 12180</td>
</tr>
<tr>
<td>Girvin &amp; Ferlazzo, PC</td>
<td>20 Corporate Woods Blvd., Albany, NY 12211</td>
</tr>
<tr>
<td>FPI Mechanical</td>
<td>11 Green Mountain Drive, Cohoes, NY 12047</td>
</tr>
</tbody>
</table>

and

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

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

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

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

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into lease agreements with the aforesaid Suite holders to lease Corporate Suite No. 16 at the Times Union Center pursuant to the aforementioned terms, and, be it further

RESOLVED, That the County Attorney is authorized to approve said lease agreements as to form and content prior to the execution thereof, and, be it further
RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 256

AUTHORIZING A LEASE AGREEMENT WITH BANK OF AMERICA REGARDING CORPORATE SUITE NO. 12 AT THE TIMES UNION CENTER

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, Bank of America, 201 N. Tryon Street, Charlotte, NC 28202 (Suite holder) has indicated an interest in renewing its lease of Corporate Suite No. 12 at the Times Union Center in accordance with terms and conditions approved by the County Attorney, and

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

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

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

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

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the aforesaid Suite holder to lease Corporate Suite No. 12 at the Times Union Center pursuant to the aforementioned terms, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 257

AUTHORIZING A LEASE AGREEMENT WITH BLUE SHIELD OF NORTHEASTERN NEW YORK REGARDING CORPORATE SUITE NO. 20 AT THE TIMES UNION CENTER

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, Blue Shield of Northeastern New York, 40 Century Hill Drive, Latham, NY 12110 (Suite holder) has indicated an interest in renewing its lease of Corporate Suite No. 20 at the Times Union Center in accordance with terms and conditions approved by the County Attorney, and

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

WHEREAS, The Suite holder has also agreed to pay $28,000 annually for advertising within the Arena, and

WHEREAS, Annual payments totaling $48,500 are to be made as follows: a $20,500 payment on or before July 1st preceding the contract year, and the remaining $28,000 payment is due on or before December 15th of the contract year, and

WHEREAS, The term of said lease shall be for a one (1) year period, commencing on March 15, 2019 and ending on March 14, 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a lease agreement with the aforesaid Suite holder to lease Corporate Suite No. 20 at the Times Union Center pursuant to the aforementioned terms, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 258

AUTHORIZING AN AGREEMENT WITH THE NEW YORK POWER
AUTHORITY TO PROCEED WITH PRELIMINARY STEPS REGARDING
PHOTOVOLTAIC SYSTEMS IN ALBANY COUNTY

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, The County Executive has requested authorization to enter into
an agreement with the New York Power Authority (NYP A) regarding an
Authorization to Proceed with the development of photovoltaic systems with the
option for battery storage at six separate locations throughout the County, and

WHEREAS, The Authorization to Proceed will allow the County to begin
working with NYP A on final site selection, preliminary design, development and
issuance of a Request for Proposal (RFP), and evaluation of the RFP, and

WHEREAS, The County will receive credits on its utility bills for the in-front
of meter sites based on the Value of Distributed Energy Resources, now, therefore
be it

RESOLVED, By the Albany County Legislature that the County Executive is
authorized to enter into agreement with the New York Power Authority regarding
an Authorization to Proceed with the development of photovoltaic systems with the
option for battery storage at six separate locations throughout the County, and, be
it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward
certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 259

AUTHORIZING AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY REGARDING DESIGN AND CONSTRUCTION PLANS FOR THE STREETLIGHT INSTALLATION PROJECT

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, By Resolution No. 126 for 2019, this Honorable Body authorized a five-year Energy Services Program Master Cost Recovery Agreement (MCRA) with the New York Power Authority (NYP A) for a term commencing April 15, 2019 and ending April 14, 2024 as a preliminary action which is necessary for the implementation of an aggregated street light conversion program and the associated purchase of streetlights and the installation of LED lighting in Albany County, and

WHEREAS, The County Executive has requested authorization to enter into an agreement with NYP A regarding an authorization to proceed with the development phase of the streetlight purchase and conversion project which includes engineering design and procurement, and

WHEREAS, The engineering design and procurement will include selecting an installation contractor from NYP A’s list of prequalified firms, confirming the wattages and quantities of the existing system as stated in the County’s utility bills, verifying the condition of individual streetlights and which components need to be replaced, identifying replacement fixtures to be used, developing the bidding specifications, and formulating a detailed construction schedule, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York Power Authority regarding an authorization to proceed with the development phase of the streetlight purchase and conversion project in Albany County, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 260

AUTHORIZING AN AGREEMENT WITH STILSING ELECTRIC INC. REGARDING TRAFFIC LIGHT INSTALLATION ON ALBANY SHAKER ROAD

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, The Commissioner of the Public Works has requested authorization to enter into an agreement with Stilsing Electric, Inc. regarding the installation of a traffic light at the intersection of Albany Shaker Road and Shaker El in an amount not to exceed $137,500 for the term commencing July 1, 2019 and ending December 31, 2019, and

WHEREAS, The Department through the Purchasing Agent issued a Request for Bids regarding the Installation of a Traffic Control Signal at Albany Shaker Road and Shaker El and two bids were received, and

WHEREAS, The County’s consultant, Creighton Manning Engineering, LLP, has reviewed the bids and recommended awarding the contract to Stilsing Electric, Inc. as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Stilsing Electric, Inc., Rensselaer, NY 12144 regarding the installation of a traffic light at the intersection of Albany Shaker Road and Shaker El in an amount not to exceed $137,500 for the term commencing July 1, 2019 and ending December 31, 2019, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 261

AUTHORIZING AN AGREEMENT WITH RIFENBURG CONTRACTING CORP. REGARDING THE POTABLE WATER AND SANITARY WASTE WATER REMOVAL PROJECT AT LAWSON LAKE

Introduced: 7/8/19
By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Rifenburg Contracting Corp. regarding the Potable Water and Sanitary Waste Water Removal Project in the Town of Coeymans at Lawson Lake in the amount of $623,045 for the term commencing August 1, 2019 and ending November 30, 2020, and

WHEREAS, The Department of Public Works, through the Albany County Purchasing Agent, issued a request for bids, and on May 9, 2019 three bids were received pertaining to the project, and

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

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Rifenburg Contracting Corp., Troy, New York 12180 regarding the Potable Water and Sanitary Waste Water Removal Project in the Town of Coeymans at Lawson Lake in the amount of $623,045 for the term commencing August 1, 2019 and ending November 30, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 262

AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION REGARDING THE HOME ENERGY ASSISTANCE PROGRAM (HEAP)

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with Cornell Cooperative Extension regarding the Home Energy Assistance Program (HEAP) in the amount of $160,000 for the term commencing October 1, 2019 and ending September 30, 2020, and

WHEREAS, HEAP is a state-supervised program that provides outreach and certification services to assist eligible low-income households, especially elderly and disabled individuals, in Albany County in meeting the costs of home energy, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cornell Cooperative Extension, Voorheesville, NY 12186 in an amount not to exceed $160,000 for the term commencing October 1, 2019 and ending September 30, 2020 regarding the Home Energy Assistance Program, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate Cornell Cooperative Extension and County Officials.
RESOLUTION NO. 263

AUTHORIZING AN AGREEMENT WITH HOPE HOUSE, INC. REGARDING RESIDENTIAL TREATMENT SERVICES TO WOMEN WITH CHILDREN

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has recommended that the County renew an agreement with Hope House, Inc. to provide residential treatment services for women experiencing alcohol/substance abuse and their minor children ages newborn through nine, and

WHEREAS, The Commissioner indicated that the facility which has a capacity of 21 adults and up to 12 children (with occupancy expected to average 24 individuals) will fill a critical gap in the continuum of services available to women in Albany County and will allow women to secure appropriate treatment services without disrupting their parenting roles with their children, and

WHEREAS, The services to be provided by the facility will include room and board, medical services, coordination with alcohol/substance abuse treatment, child care, parenting education and modeling, assessment of special needs, appropriate recreational opportunities for children and families and other related services, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Hope House, Inc., Albany, NY 12206 regarding the Residential Treatment Services to Women with Minor Children program at New York State-established rates, currently set at $1,005 per month for adults, plus a $171 personal needs allowance and $36.16 per eligible child not to exceed $240,000, for the term commencing October 1, 2019 and ending September 30, 2020 and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 264

AMENDING RESOLUTION NO. 138 FOR 2019 REGARDING THE PROVISION OF FAMILY SHELTER SERVICES

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, By Resolution No. 138 for 2019, this Honorable Body authorized an agreement with the St. Catherine's Center for Children – Marillac Residence for State-approved Tier II Family Shelter services for the term commencing July 1, 2019 and ending June 30, 2020 at a per diem rate of $145.18 per day per family as set by New York State Office of Temporary and Disability Assistance, and

WHEREAS, The Commissioner of the Department of Social Services has requested an amendment to the aforementioned agreement with St. Catherine's Center for Children – Marillac Residence to indicate an increase in the provider per diem rate to $150.76 rather than $145.18 per day per family, and

WHEREAS, The per diem rates for the operation of State-approved Tier II Family Shelters are established by the State of New York and are periodically retroactively reconciled with actual expenditures and revenues, and, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 138 for 2019 an agreement with St. Catherine's Center for Children – Marillac Residence is amended to indicate a State of New York approved increase in the provider per diem rate to $150.76 rather than $145.18 per day per family, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 265

AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH MEYERS AND STAUFFER, LLC FOR AUDITING SERVICES REGARDING MEDICAID FRAUD, WASTE AND ABUSE

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement in the amount not to exceed $166,000 with Meyers and Stauffer, LLC for auditing services regarding Medicaid fraud, waste and abuse control activities for the term commencing October 1, 2019 and ending September 30, 2020, and

WHEREAS, The Department issued an Request for Proposal (RFP) for auditing services to assist in determining potential provider fraud, waste and abuse associated with the Medicaid Program and any overpayments to be repaid and Meyers and Stauffer was the lowest responsible proposer, and

WHEREAS, The agreement will provide for a review of Medicaid payments made to providers enrolled in the Medicaid program who have submitted claims for eligible services to recipients for which the County has fiscal responsibility and a determination of any overpayments, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement in the amount not to exceed $166,000 with Meyers and Stauffer, LLC for auditing services regarding Medicaid fraud, waste and abuse control activities for the term commencing October 1, 2019 and ending September 30, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 266

AUTHORIZING AGREEMENTS REGARDING THE HEALTHY FAMILIES HOME VISITING PROGRAM AND AMENDING THE 2019 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has requested authorization to enter into an agreement with the NYS Office of Children and Family Services (OCFS) regarding the Healthy Families Home Visiting Program Grant in the amount of $1,176,898 for the term commencing July 1, 2019 and ending June 30, 2020, and

WHEREAS, The Commissioner has requested authorization to enter into an agreement with Parsons Child and Family Center in an amount not to exceed $511,423 regarding the Healthy Families Home Visiting Program for the term commencing July 1, 2019 and ending June 30, 2020, and

WHEREAS, The Albany County Department for Children, Youth and Families, acting as the lead agency, along with Parsons Child and Family Center provides intensive home visits to pregnant women and new parents who live in low-income target areas and who meet the criteria for needed improvement of parenting skills regarding the Healthy Families Home Visiting Program, and

WHEREAS, The Commissioner has also requested a budget amendment to incorporate an increase in OCFS funding regarding the aforementioned program in the amount of $122,656, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the NYS Office of Children and Family Services regarding the Healthy Families Home Visiting Program Grant in an amount not to exceed $1,176,898 for the term commencing July 1, 2019 and ending June 30, 2020, and, be it further

RESOLVED, That the County Executive is also authorized to enter into agreement with Parsons Child and Family Center regarding the Healthy Families Home Visiting Program in an amount not to exceed $511,423 for the term commencing July 1, 2019 and ending June 30, 2020, and, be it further

RESOLVED, By the Albany County Legislature that the 2019 Albany County Department for Department of Children, Youth and Families budget is hereby amended as follows:
Increase Revenue Account A3406 Home Families Beginnings by $122,656

Increase Appropriation Account A6119.4 by $122,656 by increasing line item 6119 4 4400 Healthy Families by $122,656

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 267

AUTHORIZING AGREEMENTS REGARDING THE 2019 SUMMER YOUTH EMPLOYMENT PROGRAM AND AMENDING THE 2019 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Introduced: 7/8/19
By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families has indicated that NYS Office of Temporary Disability Assistance funding is available to the Department for the operation of the 2019 Summer Youth Employment Program in connection with Cornell Cooperative Extension, and

WHEREAS, The Commissioner has requested authorization to enter into an agreement with Albany County Department of Social Services (DSS) regarding the 2019 Summer Youth Employment Program in the amount of $45,000 for the term commencing April 1, 2019 and ending October 31, 2019, and

WHEREAS, The Commissioner has also requested agreement with Cornell Cooperative Extension in the amount of $15,000 in order to transfer appropriated funds from DSS to the Department of Children Youth and Families regarding the funding and administration of the 2019 Summer Youth Employment Program for the term commencing April 1, 2019 and ending October 31, 2019, and

WHEREAS, The Summer Youth Employment Program is funded through the City of Albany and is intended to introduce youth into the workforce and to help them acquire skills that can be used to improve school performance and become responsible adults while recognizing the importance of establishing education and career goals, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Albany County Department of Social Services regarding the 2019 Summer Youth Employment Program in the amount of $45,000 for the term commencing April 1, 2019 and ending October 31, 2019, and, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Cornell Cooperative Extension in the amount of $15,000 in order to transfer appropriated funds from DSS to the Department of Children Youth and Families regarding the funding and administration of the 2019 Summer Youth Employment Program for the term commencing April 1, 2019 and ending October 31, 2019, and, be it further
RESOLVED, That the 2019 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3820 Division for Youth by $45,000

Increase Appropriation Account A6119.4 by $45,000 by increasing the following line items:
Increase line item A6119 4 4406 Division for Youth by $15,000
Increase line item A6119 4 4046 Fees for Service by $30,000

and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 268

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE UPSTATE MODEL FAMILY REPRESENTATION OFFICE GRANT

Introduced: 7/8/19
By Law Committee:

WHEREAS, The Albany County Public Defender has requested authorization to submit a grant application to the New York State Office of Indigent Legal Services regarding the Upstate Model Family Representation Office Grant in the amount of $870,139 per year for a total amount of $2,610,417 over a three-year term, and

WHEREAS, The Public Defender has indicated that this funding will be used to establish a model Family Representation Office to provide legal representation to parents in child protective proceedings and termination of parental rights proceedings pursuant to New York Family Court Act Article 10, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Office of Indigent Legal Services regarding the Upstate Model Family Representation Office Grant in the amount of $870,139 per year for a total amount of $2,610,417 over a three-year term, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 269

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE GUN INVOLVED VIOLENCE ELIMINATION INITIATIVE GRANT AND AMENDING THE 2019 PROBATION DEPARTMENT BUDGET

Introduced: 7/8/19
By Law Committee:

WHEREAS, The Director of the Albany County Probation Department has requested authorization to submit a grant application and enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination Initiative (GIVE) grant in the amount of $137,005 for the term commencing July 1, 2019 and ending June 30, 2020, and

WHEREAS, The Director has indicated that the funding will be used to support overtime, personnel, and GPS monitoring fees, and

WHEREAS, The Director has requested a budget amendment in order to incorporate additional GIVE grant funding into the 2019 Probation Department Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application and enter into an agreement with the New York State Division of Criminal Justice Services regarding the GIVE grant in the amount of $137,005 for a term commencing July 1, 2019 and ending June 30, 2020, and, be it further

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

Increase Revenue Account A3334 Operation GIVE by $53,635

Increase Appropriation Account A3140.1 by $41,635 by increasing Line Items: A3140 1 9900 Overtime by $5,000
A3140 1 9954 Grant Assignment Pay by $36,635

Increase Appropriation Account A3140.4 by $12,000 by increasing Line Item A3140 4 4046 Fees for Services by $12,000

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 270

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

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Executive has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2018 Cyber Security Grant Program in the amount of $28,500, and

WHEREAS, The County Executive has indicated that this funding will be used to purchase and install firewall software to allow segmentation of the County network from non-county agencies, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the FY2018 Cyber Security Grant Program in the amount of $28,500, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 271

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE CANAL CORPORATION REGARDING REIMBURSEMENT FOR MARINE PATROL SERVICES

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Canal Corporation regarding reimbursement for marine patrol services in the amount of $8,000 for the term commencing April 1, 2019 and ending March 31, 2020, and

WHEREAS, The Sheriff has indicated that this funding, which requires a County match of $2,000, will be used to recuperate a portion of the funds spent on the patrolling of Albany County waterways which are contiguous to the New York State Canal System, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Canal Corporation regarding reimbursement for marine patrol in the amount of $8,000 for the term commencing April 1, 2019 and ending March 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 272

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

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit 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 in the amount of $150,000 for the term commencing September 1, 2019 and ending August 31, 2021, and

WHEREAS, The Sheriff has indicated that this funding will be used for the purchase of equipment utilized by multi-discipline responders when responding to a structural collapse, rope rescue, or trench rescue operation, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the Technical Rescue and Urban Search and Rescue Grant Program in the amount of $150,000 for the term commencing September 1, 2019 and ending August 31, 2021, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 273

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

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Sheriff has indicated that the United States Department of Justice, Bureau of Justice Assistance, has made available assistance to state and local governments to reimburse them for incarceration costs for undocumented criminal aliens through the State Criminal Alien Assistance Program, and

WHEREAS, The Sheriff has requested authorization to submit a grant application in the estimated amount of $25,000 to the United States Department of Justice, Bureau of Justice Assistance, regarding reimbursement for the incarceration of criminal aliens at the Albany County Correctional Facility, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application for funding with the U.S. Department of Justice, Bureau of Justice Assistance, in the estimated amount of $25,000 regarding reimbursement for the incarceration of criminal aliens at the Albany County Correctional Facility, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 274

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

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit 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 for the term commencing January 1, 2020 and ending December 31, 2020, and

WHEREAS, The Sheriff has indicated that this funding will be used to assist with the costs involved in maintaining Albany County's multi-jurisdictional Public Safety Answering Points Operations, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications regarding the Public Safety Answering Points Operations Grant Program for the term commencing January 1, 2020 and ending December 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 275

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

Introduced: 7/8/19
By Public Safety Committee:

WHEREAS, The Albany County Sheriff has requested authorization to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2019 Hazardous Materials Emergency Preparedness Grant Program in a total amount of $15,516 for the term commencing September 30, 2019 and ending September 30, 2020, and

WHEREAS, The Sheriff has indicated that Albany County is acting as the fiduciary for two other member counties of the Capital Region Hazmat Group, Rensselaer and Schenectady, and will therefore be eligible to receive a grant award of $5,172 per county for a total amount of $15,516 in grant funding which will be used to purchase a 4-gas meter training simulator, a trailer to transport hazmat training props, and modifications to a tank trailer in order to turn it into a leak simulator, and

WHEREAS, The Sheriff has also indicated that this grant requires a 20% match which will be covered using a portion of the Fire Coordinator’s salary, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to the New York State Division of Homeland Security and Emergency Services regarding the 2019 Hazardous Materials Emergency Preparedness Grant Program in a total amount of $15,516 for the term commencing September 30, 2019 and ending September 30, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 276

AUTHORIZING THE ALBANY COUNTY SHERIFF TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF FULL-TIME AND PART-TIME PARAMEDICS AND FULL-TIME AND PART-TIME EMERGENCY MEDICAL TECHNICIANS FOR THE COUNTY'S ADVANCED LIFE SUPPORT AND EMT PROGRAMS

Introduced: 7/8/19
By Personnel Committee:

WHEREAS, The Albany County Sheriff has diligently sought out qualified applicants for the positions of full and part-time Paramedic for the County's Advanced Life Support program in the Towns of Bethlehem, Berne, Coeymans, New Scotland, Rensselaer, and Westerlo and full and part-time Emergency Medical Technician for the EMT Program with the Bethlehem Volunteer Ambulance Service, Delmar Fire District and the Town of New Scotland, and

WHEREAS, The Sheriff indicated that there is a shortage of qualified applicants who are residents of Albany County and available and willing to fill all of the vacant full and part-time positions, and

WHEREAS, Resolution No. 245-C for 1995 requires the approval of this Honorable Body for hiring out-of-county applicants in instances where there are no sufficiently qualified Albany County residents who have applied for such positions, and

WHEREAS, Members of the Personnel Committee of the Albany County Legislature have been satisfied that there are no sufficiently qualified Albany County residents to fill the positions and have recommended that an approval in accordance with the requirements of Resolution No. 245-C for 1995 be given to the filling of full and part-time Paramedic and Emergency Medical Technician positions for a twelve-month period with out-of-county applicants, now, therefore be it

RESOLVED, By the Albany County Legislature that hiring out-of-county applicants to fill the aforementioned positions with the Albany County Sheriff's Office is approved in accordance with the requirements of Resolution No. 245-C for 1995, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants shall expire July 1, 2020, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 277

AUTHORIZING THE DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF REGISTERED NURSE, LICENSED PRACTICAL NURSE AND CERTIFIED NURSING ASSISTANT

Introduced: 7/8/19
By Personnel Committee:

WHEREAS, The Executive Director of the Department of Residential Health Care Facilities has diligently sought out qualified applicants for the positions of Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant, including full time, part time and per diem, and

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

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

WHEREAS, The Personnel Committee of the Albany County Legislature has been satisfied that there exists a shortage of qualified Albany County residents to fill Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant positions and has recommended that approval in accordance with the requirements of Resolution No. 245-C for 1995 be given to filling the above-mentioned nursing positions at the Department of Residential Health Care Facilities for a 12-month period with qualified out-of-county applicants, now, therefore be it

RESOLVED, By the Albany County Legislature that the consideration of out-of-county applicants to fill Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant positions at the Department of Residential Health Care Facilities is approved in accordance with the requirements of Resolution No. 245-C for 1995, and, be it further

RESOLVED, That the aforementioned approval to consider out-of-county applicants for these positions shall expire July 1, 2020, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 278

AUTHORIZING AN AGREEMENT WITH MEGGITT TRAINING SYSTEMS, INC REGARDING THE PURCHASE OF A MOBILE RANGE TRAILER AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

Introduced: 7/8/19
By Audit and Finance Committees:

WHEREAS, After the completion of the RFP process, the Sheriff has requested authorization to enter into an agreement with the sole bidder Meggitt Training Systems, Inc. in the amount of $274,999 regarding the purchase of a mobile range trailer, and

WHEREAS, The Sheriff indicated that the New York State Division of Criminal Justice Services ("DCJS") requires peace officers who are authorized to carry a firearm must receive five hours of firearm recertification training annually, and

WHEREAS, The mobile range trailer will be used for onsite firearm training for Albany County Law Enforcement and Correction Officers, and

WHEREAS, The Sheriff has requested an amendment to the 2019 Correctional Facility Budget to incorporate such expense, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Meggitt Training Systems, Inc., Suwanee, GA 30024 in the amount of $274,999 regarding the purchase of a mobile range trailer, and, be it further

RESOLVED, By the Albany County Legislature, that the 2019 Correctional Facility Budget is hereby amended as follows:

Decrease Appropriation Account A3150.4 by $275,000 by decreasing the following line items:
Decrease Line Item A3150 4 4071 Property Repair and Rental by $200,000
Decrease Line Item A3150 4 4251 Medical Care by $75,000

Increase Appropriation Account A3150.2 by $275,000 by increasing Line Item A3150 2 2750 Security Equipment by $275,000

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further
RESOLVED, That the Clerk of the Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 279

AUTHORIZING THE ALBANY COUNTY SHERIFF TO CREATE TWO DEPUTY SHERIFF POSITIONS AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

Introduced: 7/8/19
By Audit and Finance Committees:

WHEREAS, The Albany County Sheriff has requested authorization to create two Deputy Sheriff positions, by the reallocation of funds for two vacant Correction Officers position, and

WHEREAS, The Sheriff indicate that the new positions within the Law Enforcement Division will enhance the goals and objectives of the Sheriff's Office and maintain the highest level of public safety for the citizens of Albany County, and

WHEREAS, The Sheriff has requested a budget amendment to create and appropriate funds for the new positions, now, therefore be it

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

Decrease Appropriation Account A3150.1 by $13,000 by decreasing Line Item A3150 1 4115 272 Corrections Officer by $13,000 with an annual salary of $46,807

Decrease Appropriation Account A3150.1 by $13,000 by decreasing Line Item A3150 1 4115 295 Corrections Officer by $13,000 with an annual salary of $46,807

Increase Appropriation Account A3110.1 by $13,000 by creating and increasing Line Item A3110 1 4138 099 Deputy Sheriff at $13,000 for the balance of fiscal year 2019 with an annual salary of $38,502

Increase Appropriation Account A3110.1 by $13,000 by creating and increasing Line Item A3110 1 4138 100 Deputy Sheriff at $13,000 for the balance of fiscal year 2019 with an annual salary of $38,502

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 280

AUTHORIZING AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, REGARDING REIMBURSEMENT FOR THE INCARCERATION OF CRIMINAL ALIENS AND AMENDING THE 2019 SHERIFF'S OFFICE BUDGET

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff has indicated that the United States Department of Justice, Bureau of Justice Assistance, has made funding available through the State Criminal Alien Assistance Program (SCAAP) regarding reimbursement for incarceration costs for undocumented criminal aliens at the Albany County Correctional Facility, and

WHEREAS, The Sheriff has requested authorization to enter into an agreement with the United States Department of Justice, Bureau of Justice Assistance, in the amount of $58,147 regarding the SCAAP reimbursement, and

WHEREAS, The Sheriff further requested a budget amendment to reflect the reimbursement amount and to comply with a SCAAP requirement that reimbursement monies be spent for correctional purposes, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the United States Department of Justice, Bureau of Justice Assistance, in an amount not to exceed $58,147 regarding reimbursement for the incarceration of criminal aliens, and, be it further

RESOLVED, That the 2019 Correctional Facility Budget is amended as follows:

Increase Revenue Account A4390 Alien Assistance Program by $58,147

Increase Appropriation Account A3150.2 by $58,147 by increasing Line Item A3150 2 2750 Security Equipment by $58,147

and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 281

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 510 ALBANY SHAKER ROAD (TAX MAP NO. 43.13-1-1) IN THE TOWN OF COLONIE REGARDING THE INSTALLATION OF A TRAFFIC SIGNAL

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization for the County to purchase ±0.014 acres of real property located at 510 Albany Shaker Road (Tax Map No. 43.13-1-1) in the Town of Colonie from the Good Shepherd Evangelical Lutheran Church for the purposes of constructing a traffic signal at the intersection of Albany Shaker Road and Shaker El, and

WHEREAS, The Commissioner has indicated that the traffic signal will improve traffic conditions in the area, and that the appraised value of the property will not exceed $2,000, now, therefore be it

RESOLVED, By the Albany County Legislature, that the County Executive is authorized to execute on behalf of the County any documents necessary to purchase the ±0.014 acres located at 510 Albany Shaker Road (Tax Map No. 43.13-1-1) in the Town of Colonie as indicated on the acquisition map annexed hereto from the Good Shepherd Evangelical Lutheran Church, Loudonville, New York 12211 for an amount not to exceed $2,000 for the purposes of constructing a traffic signal at the intersection of Albany Shaker Road and Shaker El, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
All that piece or parcel of property hereinafter designated as Parcel No. 1, situate in the Town of Colonie, County of Albany, State of New York, as shown on the accompanying map and described as follows:

Parcel No. 1

Beginning at a point on the southwesterly boundary line of Albany Shaker Road, C.R. 151 at its intersection with the southeasterly boundary line of Shaker El; said point being 331 feet distant southeasterly measured at right angles from Station 2+68.7 of the heretofore described survey baseline for the Albany Shaker Road - C.R. 151 at Shaker El Highway Improvements Project; thence proceeding southeasterly along the first mentioned southeasterly boundary line of Albany Shaker Road 235 feet to a point 235 feet distant southeasterly measured at right angles from Station 2+43.7 of said baseline; thence through the lands of The Good Shepherd Evangelical Lutheran Church [reputed owner] the following two (2) courses and distances: 1) S 59°18'10" E, 271 feet to a point 61.39 feet distant southeasterly measured at right angles from Station 2+40.86 of said baseline, and 2) N 40°15'42" W, 231 feet to a point on the southeasterly boundary line of Shaker El; said point being 421 feet distant southeasterly measured at right angles from Station 2+39 of said baseline; thence northeasterly along said southeasterly boundary line of Shaker El 281 feet to the point of beginning, being 592 square feet or 0.014 acres of land, more or less.

The above mentioned survey baseline is a portion of the 2019 survey baseline for the Albany Shaker Road - C.R. 151 at Shaker El Highway Improvements Project and is described as follows:

Beginning at Station 1+00.00; thence North 59°32'45" East to Station 3+12.68.

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date ________________ 20__

CREIGHTON MANNING ENGINEERING, LLP

Donald G. Soavey, P.L.S. License No. 050078

ALBANY COUNTY
DESCRIPTION AND MAP FOR ACQUISITION OF PROPERTY
ALBANY SHAKER ROAD - C.R. 151
AT SHAKER EL

THE GOOD SHEPHERD
EVANGELICAL LUTHERAN CHURCH
(Reputed Owner)

AREA = 592± S.F. OR 0.014± AC.
AMENDING THE 2019 ALBANY COUNTY BUDGET: CONTRACTUAL EXPENSES

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Department of Management and Budget has requested authorization to move funds from the contingency account to the computer supplies account in the amount of $54,095 to fund an unanticipated purchase for the Division of Information Services, and

WHEREAS, The Commissioner indicated that Information Services went to the contract board to purchase the Sophos Advanced Endpoint protection software needed to safeguard Albany County servers and workstations from advanced malware including ransomware, now, therefore be it

RESOLVED, By the Albany County Legislature that the 2019 Albany County Budget is amended as follows:

Decrease Appropriation Account A1990.4 by $54,095 by decreasing Line Item A1990 4 4999 Misc. Contractual Expense by $54,095

Increase Appropriation Account A1680.4 by $54,095 by increase Line Item A1680 4 4021 Computer Supplies by $54,095

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 283

AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE ALBANY COUNTY NURSING HOME

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 443 for 2016, this Honorable Body authorized an agreement with Horan, Martello and Morrone, CPAs LLP, for accounting and consulting services at the Albany County Residential Healthcare Facility for a three year term commencing October 3, 2016 and ending October 2, 2019, with two optional consecutive one year renewals, in an amount not to exceed $133,500, and

WHEREAS, The Executive Director of the Residential Healthcare Facility has requested authorization to renew the contract and enter into the first year of the optional one year agreements with Horan, Martello and Morrone, CPAs LLP, for accounting and consulting services related to Medicaid and Medicare programs for the facility, including cost reporting, variance reports and training of staff, and

WHEREAS, The Executive Director has indicated that the agreement would be for a term commencing November 1, 2019 and ending October 31, 2020 in the amount of $44,500, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized enter into the first year of the optional one year agreements with Horan, Martello and Morrone, CPAs LLP, Hauppauge, New York 11788 for accounting and consulting services related to Medicaid and Medicare programs for the Nursing Home, including cost reporting, variance reports and training of staff in an amount not to exceed $44,500 commencing November 1, 2019 and ending October 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 284

AUTHORIZING AN AGREEMENT WITH TC EQUIPMENT, LLC REGARDING THE PURCHASE OF FURNITURE FOR THE ALBANY COUNTY NURSING HOME

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Residential Healthcare Facility has requested authorization to enter into an agreement with TC Equipment, LLC in the amount of $354,415 for a term commencing July 1, 2019 and ending June 30, 2020 regarding the provision of residential furniture related to the ongoing renovation of the facility, and

WHEREAS, The Executive Director has indicated that the agreement will facilitate the purchase of dressers, bedside tables, wardrobes, mattresses, and head and foot boards which will update the amenities available to residents at the facility, and

WHEREAS, Pursuant to the County procurement policy, an RFP was issued soliciting proposals for certain residential furniture and after three (3) proposals were received and reviewed the Albany County Purchasing Agent recommended awarding the contract to TC Equipment, LLC, who was the lowest responsible bidder, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with TC Equipment, LLC, Loudonville, NY 12211 in the amount not to exceed $354,415 for a term commencing July 1, 2019 and ending June 30, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 285

AUTHORIZING AN AGREEMENT WITH STANDARD COMMERCIAL INTERIORS, LLC REGARDING THE PURCHASE, STORING AND INSTALLATION OF OFFICE FURNITURE AT THE ALBANY COUNTY NURSING HOME

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Residential Healthcare Facility has requested authorization to enter into an agreement with Standard Commercial Interiors, LLC in the amount of $600,304 for a term commencing July 1, 2019 and ending December 31, 2020 regarding the purchase, storing, and installation of office furniture related to the ongoing renovation of the Nursing Home, and

WHEREAS, The Executive Director has indicated that the aforementioned agreement will facilitate the purchase of various office furniture which is currently available at discounted prices through the NYS state contract system, and

WHEREAS, The Executive Director has further indicated that Standard Commercial Interiors, LLC will install the above referenced office furniture pursuant to the instruction of current architectural specifications which will contribute to the overall design and modernization taking place as part of the renovation project at the Residential Health Care Facility, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Standard Commercial Interiors, LLC, Albany, NY 12204 in the amount not to exceed $600,304 for a term commencing July 1, 2019 and ending December 31, 2020 regarding the purchase, storing, and installation of office furniture related to the ongoing renovation of the Albany County Nursing Home, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 286

AUTHORIZING AN AGREEMENT WITH STANDARD COMMERCIAL INTERIORS, LLC REGARDING THE PURCHASE, STORING AND INSTALLATION OF RESIDENTIAL FURNITURE AT THE ALBANY COUNTY NURSING HOME

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Executive Director of the Albany County Residential Healthcare Facility has requested authorization to enter into an agreement with Standard Commercial Interiors, LLC in the amount of $584,584 for a term commencing July 1, 2019 and ending December 31, 2020 regarding the purchase, storing, and installation of various residential furniture related to the ongoing renovation of the Nursing Home, and

WHEREAS, The Executive Director has indicated that the agreement will facilitate the purchase of various residential furnishings in order to update the amenities available to residents at the facility, and

WHEREAS, Pursuant to the County procurement policy, an RFP was issued soliciting proposals for furnishings related to the renovation, and after proposals were received and reviewed, the Albany County Purchasing Agent recommended awarding the contract to Standard Commercial Interiors, LLC, who was the lowest responsible bidder, and

WHEREAS, The Executive Director has further indicated that Standard Commercial Interiors, LLC will install the above referenced office furniture pursuant to the instruction of current architectural specifications which will contribute to the overall design and modernization taking place as part of the renovation project at the Residential Health Care Facility, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Standard Commercial Interiors, LLC, Albany, NY 12204 in the amount not to exceed $584,584 for a term commencing July 1, 2019 and ending December 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 287

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 81 ORANGE STREET (TAX MAP NO. 76.26-1-33) IN THE CITY OF ALBANY REGARDING COUNTY SNOW REMOVAL SERVICES

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The Commissioners of the Departments of General Services and Public Works have requested authorization for the County to purchase real property located at 81 Orange Street (Tax Map No. 76.26-1-33) in the City of Albany from the Albany County Land Bank Corporation for the purposes of assisting with snow removal, and

WHEREAS, The Commissioners have indicated that currently snow is transported to the Water Purification District location for disposal, and that use of this vacant lot would reduce the costs associated with such snow removal, now, therefore be it

RESOLVED, By the Albany County Legislature, that the County Executive is authorized to execute on behalf of the County any documents necessary to purchase 81 Orange Street (Tax Map No. 76.26-1-33) in the City of Albany from the Albany County Land Bank Corporation, Albany, New York 12207 for the purposes of assisting with snow removal, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 288

AUTHORIZING THE CONVEYANCE OF PARCELS OF REAL PROPERTY LOCATED AT 215 SEMINOLE AVENUE (TAX MAP NO. 64.54-4-6), 219 SEMINOLE AVENUE (TAX MAP NO. 64.54-4-7) AND 221 SEMINOLE AVENUE (TAX MAP NO. 64.54-4-8) IN THE CITY OF ALBANY

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The County of Albany has acquired through in rem foreclosure title to 3 parcels of real property in the City of Albany located at 215 Seminole Avenue (Tax Map No. 64.54-4-6), 219 Seminole Avenue (Tax Map No. 64.54-4-7) and 221 Seminole Avenue (Tax Map No. 64.54-4-8), and

WHEREAS, Kyle Dalton, an abutting property owner, has expressed an interest in acquiring these parcels for $1 per parcel, and

WHEREAS, Revisions to the County’s Real Property Disposition Plan approved by Resolution No. 29 for 2019 implemented procedures for properties to be sold to abutting property owners, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey 215 Seminole Avenue (Tax Map No. 64.54-4-6), 219 Seminole Avenue (Tax Map No. 64.54-4-7) and 221 Seminole Avenue (Tax Map No. 64.54-4-8), in the City of Albany for $3 to Kyle Dalton, 228 Tampa Avenue, Albany, New York 12208, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 289

RESCINDING THE AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 250 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF 54 BRIDGE STREET (TAX MAP NO. 121.03-2-21) AND THE PROPERTY KNOWN AS BRIDGE STREET (TAX MAP NO. 121.03-2-22) IN THE TOWN OF BETHLEHEM

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 250 for 2019 this Honorable Body authorized the conveyance of property acquired through in rem foreclosure located at 54 Bridge Street (Tax Map No. 121.03-2-21) and the property known as Bridge Street (Tax Map No. 121.03-2-22) in the Town of Bethlehem to the Albany County Land Bank, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to immediate previous property owners, including that any and all liens extinguished as a result of the foreclosure shall be reinstated, and

WHEREAS, Gregory and Paulette Albright, the immediate former owners of record at the time the County foreclosed on this property have indicated that they are committed to paying the full amount of taxes, interest, penalties and closing costs necessary to reacquire these properties, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 506 for 2017 is hereby amended by the rescinding the authorization to convey 54 Bridge Street (Tax Map No. 121.03-2-21) and the property known as Bridge Street (Tax Map No. 121.03-2-22) in the Town of Bethlehem to the Albany County Land Bank, and be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey 54 Bridge Street (Tax Map No. 121.03-2-21) and the property known as Bridge Street (Tax Map No. 121.03-2-22) in the Town of Bethlehem to the immediate former owners, Gregory and Paulette Albright, 558 State Route 143, Ravena, New York 12143 for the amount of $86,163.96 and also to include any additional interest, penalties, and closing costs to be adjusted at the time of closing, and, be it further

RESOLVED, That any and all liens upon the property which were previous extinguished as a result of the foreclosure action shall be deemed reinstated and
restored pursuant to the Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 290

AUTHORIZING THE RELEASE OF THE RIGHT OF REACQUISITION OF TITLE TO 10 OSBORNE STREET (TAX MAP NO. 76.56-3-16) IN THE CITY OF ALBANY

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, Pursuant to Resolution No. 494 for 2002, the County of Albany reserved a right of reacquisition of title to 10 Osborne Street (Tax Map No. 76-56.3-16) in the City of Albany, which was conveyed to the Fredrick Douglass Housing Corporation, a non-for-profit created by the Albany Housing Authority, as part of its effort to construct single-family homes for first-time home buyers, and

WHEREAS, The Albany Housing Authority has indicated that the Fredrick Douglass Housing Corporation has been inactive for a number of years, and is interested in conveying 10 Osborne Street to the abutting property owner Mr. Lachgar, and

WHEREAS, The Commissioner of the Department of Management and Budget has requested the Legislature release the County’s right of reacquisition based upon documentation that Mr. Lachgar has resided at 8 Osborne Street for seventeen years and is in good standing in his community, now, therefore be it

RESOLVED, By the Albany County Legislature that the County’s right of reacquisition, based on the terms and conditions of the sale of 10 Osborne Street (Tax Map No. 76-56.3-16), Albany, New York reserved by the County of Albany, is hereby released, and, be it further

RESOLVED, That the County Executive is authorized and directed to execute a release of the right of reacquisition on the above mentioned property, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 291

AUTHORIZING THE CANCELLATION AND CHARGE BACK OF UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIENS ON 344 SOUTH PEARL STREET (TAX MAP NO. 76.65-4-35) AND 89 NORTH SWAN STREET (TAX MAP NO. 65.82-2-59) IN THE CITY OF ALBANY

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, the County Legislature has based upon the information in this regard provided to it by the Tax District Enforcing Officer determined pursuant to RPTL, §1138 (subd. 6 (a)) that, since said parcels have pursuant to § 577 of Public Housing Finance Law been by duly authorized municipal PILOT Agreement with the owner(s) thereof wholly exempted from all municipal taxes and school taxes during the aforesaid time period, there is no legal ability or practical method to enforce the collection of the following delinquent tax liens on them and that a supplementary proceeding to enforce collection of said delinquent tax liens would not be effective,

<table>
<thead>
<tr>
<th>Parcel Location</th>
<th>Tax Map No.</th>
<th>Tax Lien Year</th>
<th>Type Property Tax / School Tax</th>
<th>Charge Back Amount Property Taxes / School Taxes</th>
<th>Reason</th>
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<td>Property</td>
<td>$6,628.68</td>
<td>Unlawful Entry</td>
</tr>
</tbody>
</table>

and
WHEREAS, Pursuant to Real Property Tax Law, §1138 the County Legislature in its capacity as the governing body of the Tax District is authorized to without time limit cancel and charge back all amounts credited or guaranteed by the Tax District to any municipal corporation in connection with the delinquent real property tax lien returned to the Tax District for enforcement as to which there is no practical method to enforce the collection of those liens and that a supplementary proceeding to enforce collection of the taxes involved would not be effective, and

WHEREAS, The Tax District Enforcing Officer has as required by RPTL, §1138 (subds. 1 (a) and 2) duly issued and filed with the Albany County Clerk and the Clerk of the Albany County Legislature as the governing body of the Tax District a Certificate of Withdrawal of the above said parcels from the "In Rem" delinquent real property tax lien foreclosure proceeding brought by the Tax District to enforce the above said delinquent real property tax liens against them, and

WHEREAS, This County Legislature has based upon the information in this regard provided to it by the Tax District Enforcing Officer determined pursuant to RPTL, §1138 (subd. 6 (a)) that under the circumstances presented there is no practical method to enforce the collection of those delinquent tax liens and that a supplementary proceeding to enforce collection of the taxes involved would not be effective, now, therefore be it

RESOLVED, That pursuant to RPTL, §1138 (subd.6(a)) the above said delinquent real property tax liens are hereby cancelled and the Tax District Enforcing Officer is hereby directed to issue and within 10 days thereafter file with the Albany County Clerk Certificates of Cancellation of the above said delinquent real property tax liens, and, be it further

RESOLVED, That the Tax District Enforcing Officer is pursuant to RPTL, §1138 (subd.6(c)) hereby authorized and directed to following the filing of said Certificates of Cancellation charge back all amounts credited or guaranteed by the Tax District to any municipal corporation in connection with the above said cancelled delinquent real property tax liens,

RESOLVED, That the Clerk of the County Legislature is hereby directed to file a copy of this Resolution with the Tax District Enforcing Officer and to forward certified copies thereof to the other appropriate County Officials.
RESOLUTION NO. 292

AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITIES OF ALBANY AND WATERVALIET AND THE TOWNS OF BERNE, COEYMANS, COLONIE AND RENSSELAERVILLE

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, This Honorable Body received multiple applications from the Director of the Real Property Tax Service Agency (Director) for corrected real property tax, and

WHEREAS, These applications have been investigated by the Director who recommends to this Honorable Body that the assessment rolls involved be corrected, now, therefore be it

RESOLVED, By the Albany County Legislature that the assessment rolls for the Cities of Albany and Watervliet and the Towns of Berne, Coeymans, Colonie and Rensselaerville with respect to the following parcels of real property be corrected:

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DESCRIPTION OF REAL PROPERTY AS SHOWN ON TAX ROLL OR BILL</th>
<th>REASON FOR CORRECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maggie Alix</td>
<td>115 Oliver Avenue, Albany</td>
<td>Unlawful Entry</td>
</tr>
<tr>
<td>Director, Real Property Tax Service Agency</td>
<td>Tax Map #64.53-2-35 2019 Collection</td>
<td></td>
</tr>
<tr>
<td>Maggie Alix</td>
<td>134 West Street, Albany</td>
<td>Unlawful Entry</td>
</tr>
<tr>
<td>Director, Real Property Tax Service Agency</td>
<td>Tax Map #65.54-2-2 2019 Collection</td>
<td></td>
</tr>
<tr>
<td>Maggie Alix</td>
<td>1219 7th Avenue, Watervliet</td>
<td>Unlawful Entry</td>
</tr>
<tr>
<td>Director, Real Property Tax Service Agency</td>
<td>Tax Map #32.81-2-6 2019 Collection</td>
<td></td>
</tr>
<tr>
<td>Maggie Alix</td>
<td>1353 Thatcher Park Road, Berne</td>
<td>Unlawful Entry</td>
</tr>
<tr>
<td>Director, Real Property Tax Service Agency</td>
<td>Tax Map #80.-2-13 2019 Collection</td>
<td></td>
</tr>
<tr>
<td>Maggie Alix</td>
<td>82 Crudo Road, Coeymans</td>
<td>Unlawful Entry</td>
</tr>
<tr>
<td>Director, Real Property Tax Service Agency</td>
<td>Tax Map #165.-2-24 2019 Collection</td>
<td></td>
</tr>
</tbody>
</table>
and, be it further

RESOLVED, Said corrections shall be in accordance with Form RP-550 as submitted with favorable recommendations by the Director in accordance with the provisions of the New York State Real Property Tax Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 293

AUTHORIZING THE DISTRIBUTION OF MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2018 THROUGH MARCH 31, 2019

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, The joint report of the Albany County Division of Finance and the County Clerk of Albany County showing the collection of mortgage taxes for the period of October 1, 2018 through March 31, 2019 shows the Albany County Division of Finance has on hand for distribution the sum of $3,425,810.64 which has been apportioned in the following manner:

Cities and Towns

<table>
<thead>
<tr>
<th>City/Municipality</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Albany</td>
<td>736,894.11</td>
</tr>
<tr>
<td>City of Cohoes</td>
<td>95,315.13</td>
</tr>
<tr>
<td>City of Watervliet</td>
<td>56,062.39</td>
</tr>
<tr>
<td>Town of Berne</td>
<td>29,475.05</td>
</tr>
<tr>
<td>Town of Bethlehem</td>
<td>478,586.41</td>
</tr>
<tr>
<td>Town of Coeymans</td>
<td>57,150.81</td>
</tr>
<tr>
<td>Town of Colonie</td>
<td>1,342,493.14</td>
</tr>
<tr>
<td>Town of Green Island</td>
<td>8,704.47</td>
</tr>
<tr>
<td>Town of Guilderland</td>
<td>321,088.27</td>
</tr>
<tr>
<td>Town of Knox</td>
<td>24,671.63</td>
</tr>
<tr>
<td>Town of New Scotland</td>
<td>108,286.74</td>
</tr>
<tr>
<td>Town of Rensselaerville</td>
<td>7,808.68</td>
</tr>
<tr>
<td>Town of Westerlo</td>
<td>25,379.78</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$3,291,917.61</strong></td>
</tr>
</tbody>
</table>

WHEREAS, Said report for the same period shows apportionment to the Towns of Coeymans, Colonie, Green Island, Guilderland and New Scotland, which pursuant to law, is required to be apportioned as between the said towns and villages therein, and the said officers have apportioned the same in the following manner:

Villages

<table>
<thead>
<tr>
<th>Village</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village of Ravena</td>
<td>11,332.02</td>
</tr>
<tr>
<td>Village of Colonie</td>
<td>62,245.19</td>
</tr>
<tr>
<td>Village of Menands</td>
<td>36,952.90</td>
</tr>
<tr>
<td>Village of Green Island</td>
<td>2,901.49</td>
</tr>
<tr>
<td>Village of Altamont</td>
<td>5,555.36</td>
</tr>
</tbody>
</table>
Village of Voorheesville

TOTAL $133,893.03

now, therefore be it

RESOLVED, By the County Legislature of the County of Albany, that the Clerk of the County Legislature is directed to draw a warrant requiring the Director of Finance to pay to the City Treasurer of each of the cities named the amounts apportioned thereto, and to the Supervisors of the several towns, the amount due said towns, and to the Village Treasurers of said villages, the amounts apportioned thereto, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 294

AMENDING RESOLUTION NO. 248 FOR 2019 REGARDING THE CONVEYANCE OF REAL PROPERTY AT 543 NORTH PEARL STREET (TAX MAP NO. 65.44-1-4) IN THE CITY OF ALBANY

Introduced: 7/8/19
By Audit and Finance Committee:

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

WHEREAS, Pursuant to Resolution No. 248 for 2019, this Honorable Body authorized the execution of the option agreement with St. Catherine’s Center for Children (“St. Catherine’s”) to convey 543 North Pearl Street (Tax Map No. 65.44-1-4) in the City of Albany, and

WHEREAS, An amendment is necessary in order to move forward with the conveyance of 543 North Pearl Street, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 248 for 2019 is hereby amended as follows:

After the First Resolved clause, ADD: “RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey 543 North Pearl Street (Tax Map No. 65.44-1-4) in the City of Albany to St. Catherine’s Center for Children, Albany, New York 12203 in the amount of one hundred dollars ($100) regarding supportive housing and ancillary community programs, and, be it further”

and, be it further

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

RESOLVED, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to St. Catherine’s Center for Children and the appropriate County Officials.
RESOLUTION NO. 295

PUBLIC HEARING ON THE PROPOSED ALBANY COUNTY CAPITAL PROGRAM FOR 2020 – 2024

Introduced: 7/8/19
By Audit and Finance Committee:

WHEREAS, Pursuant to Section 609 of the Albany County Charter, the Albany County Legislature shall publish a summary of the Capital Program for Albany County and the time and place for a public hearing on the same, now, therefore be it

RESOLVED, That the summary of the proposed Albany County Capital Program for 2020-2024 is available for public inspection on the County website and at the offices of the County Clerk, Albany County Courthouse, Albany, New York and the Clerk of the Legislature, 112 State Street, Room 710, Albany, New York, during normal business hours, and, be it further

RESOLVED, By the Albany County Legislature that a public hearing on the proposed Albany County Capital Program for 2020–2024 will be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on the 23rd day of July, 2019, and the Clerk of the County Legislature is hereby directed to cause notice to be published containing the necessary information in accordance with the applicable provisions of law.
RESOLUTION NO. 296

ADOPTING THE PROPOSED MODIFICATIONS TO ALBANY COUNTY AGRICULTURAL DISTRICT NOS. 1, 2 AND 3

Introduced: 7/8/19
By Messrs. Reinhardt and Fein:

WHEREAS, Section 303-b of the Agriculture and Markets Law mandates the annual review of agricultural districts, and

WHEREAS, In connection with such review a proposal for the modification of Agricultural Districts 1, 2 and 3 has been submitted by the Agricultural and Farmland Protection Board, and

WHEREAS, The recommendations include adding 238.5 acres of actively viable farm land in the Towns of Bethlehem, Guilderland, Knox, New Scotland, Rensselaer, and Westerlo, and

WHEREAS, In conducting such review, Section 303-b of the Agriculture and Markets Law requires this Honorable Body to hold a public hearing, which public hearing was held on May 28, 2019 in the William J. Conboy II Legislative Chambers at the County Courthouse, Albany, New York for the purpose of receiving the comments of any interested persons regarding the proposed modifications, now, therefore be it

RESOLVED, By the Albany County Legislature that the following proposed modifications to the Albany County Agricultural Districts submitted by the Agricultural and Farmland Protection Board and filed with the Albany County Clerk are hereby approved and adopted:

<table>
<thead>
<tr>
<th>Town</th>
<th>Tax Map No.</th>
<th>Acres</th>
<th>Ag District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bethlehem</td>
<td>96.-2-11</td>
<td>78.5</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>95.-4-31.42</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Guilderland</td>
<td>38.-5-4</td>
<td>72.4</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>38.-3-25</td>
<td>11.8</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>38.-3-26</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Knox</td>
<td>36.-3-42.21</td>
<td>60</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>36.-3-28</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>New Scotland</td>
<td>106.-2-17.4</td>
<td>23</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>95.-3-33.3</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>131.00-1-2.1</td>
<td>40</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>131.00-1-2.2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Rensselaer</td>
<td>160.00-1-58</td>
<td>7.8</td>
<td>2</td>
</tr>
<tr>
<td>Westerlo</td>
<td>116.-3-37</td>
<td>67</td>
<td>2</td>
</tr>
</tbody>
</table>
and, be it further

RESOLVED, That a copy of the modifications shall be submitted to the New York State Commissioner of Agriculture and Markets along with a certified copy of this resolution, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 297

AMENDING RESOLUTION NO. 68 FOR 2019 REGARDING ANCILLARY LAUNDRY SERVICES FOR ELIGIBLE INDIVIDUALS IN THE EXPANDED IN HOME SERVICES TO THE ELDERLY PROGRAM (EISEP)

Introduced: 7/8/19
By Messrs. Touchette, Beston and Hogan:

WHEREAS, By Resolution No. 68 for 2019, this Honorable Body authorized an agreement with New York State Industries for the Disabled in an amount not to exceed $100,000 regarding laundry services under EISEP with the understanding that said service would be subcontracted to Plaza Linens at the rate of $24 per bag of laundry per week per client ($10 for each additional bag with Albany County Department of Social Services approval) for the term commencing April 1, 2019 and ending March 31, 2020, and

WHEREAS, The Commissioner of the Albany County Department of Social Services has indicated that due to increases in minimum wage and transportation and supply costs, the provider is requesting a rate of $30 per bag ($15 for each additional bag with Albany County Department of Social Services approval), and

WHEREAS, The Commissioner of the Department of Social Services has requested an amendment to the agreement with the New York State Industries for the Disabled to reflect a prospective rate of $30 per bag of laundry per week per client ($15 for each additional bag with Albany County Department of Social Services approval) rather than the $24 per bag of laundry per week per client ($10 for each additional bag with Albany County Department of Social Services approval), with the maximum allowable amount remaining at $100,000 for the term commencing April 1, 2019 and ending March 31, 2020, now, therefore be it

RESOLVED, By the Albany County Legislature that Resolution No. 68 for 2019 is hereby amended to reflect a prospective rate of $30 per bag of laundry per week per client ($15 for each additional bag with Albany County Department of Social Services approval) rather than the $24 per bag of laundry per week per client ($10 for each additional bag with Albany County Department of Social Services approval), with the maximum allowable amount remaining at $100,000 for the term commencing April 1, 2019 and ending March 31, 2020, and, be it further

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

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate State and County Officials.
RESOLUTION NO. 298

APPOINTMENT OF AN ALTERNATE MEMBER TO THE STORMWATER COALITION OF ALBANY COUNTY

Introduced: 7/8/19
By Mr. Feeney:

WHEREAS, By Resolution No. 287 for 2008, this Honorable Body authorized Albany County's participation in an inter-municipal agreement with the Cities of Albany, Cohoes and Watervliet, the Towns of Bethlehem, Colonie, Guilderland and New Scotland and the Villages of Colonie, Green Island, Menands and Voorheesville to form a Stormwater Coalition, and

WHEREAS, The bylaws of the Stormwater Coalition establish a Board of Directors consisting of one representative from each member municipality selected by the governing body of that municipality, now, therefore be it

RESOLVED, That Lucas Rogers, residing in the City of Albany, New York, be appointed the alternate Albany County representative on the Stormwater Coalition Board of Directors, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
RESOLUTION NO. 299

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “C” FOR 2019 - A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING AND UPDATING LOCAL LAW NO. 2 FOR 2011 REQUIRING ITEM PRICING BY RETAIL STORES IN THE COUNTY OF ALBANY

Introduced: 7/8/19
By Mr. Feeney:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “C” for 2019, “A Local Law Of The County Of Albany Amending And Updating Local Law No. 2 For 2011 Requiring Item Pricing By Retail Stores In The County Of Albany” be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, August 27, 2019, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.
RESOLUTION NO. 300

AMENDING THE ALBAY COUNTY LEGISLATURE'S RULES OF ORDER REGARDING THE FISCAL IMPACT STATEMENT

Introduced: 7/8/19
By: Mauriello

WHEREAS, This honorable body has required fiscal impact statements for all local laws, resolutions, and subsequent amendments that result in a financial or budgetary impact of $5,000 annually or more, and

WHEREAS, This rule has been habitually ignored and legislation that has had budgetary implications of more than $5,000 annually has passed this body, and

WHEREAS, The passage of legislation lacking proper fiscal impact statements is an abdication of the legislature's fiduciary role to the County and the citizens of Albany County, and

WHEREAS, Clarifications are needed to ensure legislators and the public are aware of the fiscal impacts of pending legislation, now, therefore be it

RESOLVED, That Rule 10 and Appendix A of the Albany County Legislature's Rules of Order is amended to read as follows:

RULE 10 – FISCAL IMPACT STATEMENT

All petitions, local laws, resolutions, committee reports and amendments thereto shall be in writing, and amendments to any subject matter before the County Legislature shall likewise be in writing. All resolutions and local laws with financial or budgetary implications of $5,000 annually or more shall contain a fiscal impact statement as indicated by Appendix A. All resolutions and local laws that require a Fiscal Impact Statement must have the statement included with them upon introduction, otherwise the Chairperson of the Legislature shall return the legislation to the sponsor(s). In instances where the fiscal impact was unforeseeable prior to introduction, the Fiscal Impact Statement shall be included in the publicly posted agenda prior to being voted upon by the whole body of the Legislature.

APPENDIX A

LEGISLATIVE FISCAL IMPACT STATEMENT

Type of Legislation: Local Law: Resolution:

Title of Legislation:

__________________________________________________________

__________________________________________________________

Requested By:

Sponsor (s):
FISCAL IMPACT

1. Projected cost of proposed legislation, if any: ________________________________ (annually)

2. Method of financing (general revenues, short term notes, bonding, state funding, federal funding, etc.)

   A. If federally funded, state length of time federal funding is available.

   B. If state funded, state length of time funding is available.

   C. If bonded, state amount of total indebtedness this legislation will create and projected cost over course of borrowing.

3. Length of projected cost (one time only, ongoing, etc.)

4. Justification for the appropriation/expenditure requested.

5. Funding options: ________________________________

   Sponsor/Department Head: ________________________________

and, be it further

RESOLVED, That this resolution shall take effect January 1, 2020, though nothing in this resolution shall prohibit Albany County from adopting these measures before the effective date, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.
LOCAL LAW NO. "M" FOR 2018

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING SECTION 206 OF THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS SUBSEQUENTLY AMENDED FOR THE PURPOSE OF RESTRUCTURING THE LEGISLATURE BY REDUCING THE NUMBER OF LEGISLATORS

Introduced: 5/14/18
By Messrs. Higgins, Dawson, Domalewicz and O'Brien:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW AND SECTION 2701 OF THE ALBANY COUNTY CHARTER
BE IT ENACTED by the Albany County Legislature as follows:

SECTION 1. The Albany County Charter is hereby amended by amending Section 206. Districts to read as follows:

Section 206. Districts. For the purpose of electing County Legislators, the County shall be divided into [thirty] twenty nine districts. One County Legislator shall be elected to the County Legislature of the County from each of the districts. The [thirty] twenty nine districts within the County shall be as described in apportionment plans duly adopted by the County Legislature.

SECTION 2. Upon release of the 2020 federal census and thereafter, the County Legislature shall redraw legislative boundaries to provide for twenty nine (29) [five (25)] legislative districts, effective for the 2023 general election and thereafter, with the term of office to commence January 1, 2024, and amend the Administrative Code to define the redrawn legislative districts.

SECTION 3. Severability. If any article, section, subsection, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 4. Effective Date. Pursuant to Municipal Home Rule Law sections 23 and 33, this local law shall not become operative unless and until this local law is approved by the duly qualified voters of Albany County in the manner prescribed by law at a election occurring after the adoption this local law.

Referred to Law Committee – 5/14/18
Without Recommendation Law Committee – 4/25/19
Referred to Law Committee – 5/13/19
Without Recommendation Law Committee – 6/24/19
LOCAL LAW NO. “E” FOR 2019

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS

Introduced: 3/11/19
By Messrs. Miller, Clay, Ms. Cunningham, Messrs. Ethier, Beston, Cahill, Commissio, Frainier, Mss. McKnight, Willingham, Messrs. Mayo, Domalewicz, Mss. Lekakis, McLean Lane, Plotsky, Messrs. Reinhardt and Simpson:

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

The Legislature of Albany County hereby finds and declares that:

Section 1: Findings and Intent

This Legislature finds that 81% of youth who have ever used a tobacco product report that the first tobacco product they used was flavored. Flavored tobacco products promote youth initiation of tobacco use and help young occasional smokers to become daily smokers by reducing or masking the natural harshness and taste of tobacco smoke and thereby increasing the appeal of tobacco products. As tobacco companies well know, menthol, in particular, cools and numbs the throat to reduce throat irritation and make the smoke feel smoother, making menthol cigarettes an appealing option for youth who are initiating tobacco use. Tobacco companies have used flavorings such as mint and wintergreen in smokeless tobacco products as part of a “graduation strategy” to encourage new users to start with tobacco products with lower levels of nicotine and progress to products with higher levels of nicotine. It is therefore unsurprising that young people are much more likely than adults to use menthol-, candy- and fruit-flavored tobacco products, including not just cigarettes but also cigars, cigarillos, and hookah.

Tobacco use causes death and disease and continues to be an urgent public health threat as evidenced by the fact that every year 480,000 people die prematurely in the United States from smoking-related diseases and 28,000 people die prematurely from second hand smoke making tobacco use the leading cause of preventable death. Tobacco use can cause disease in nearly all organ systems and is responsible for 87 percent of lung cancer deaths, 79 percent of all chronic obstructive pulmonary disease deaths, and 32 percent of coronary heart disease deaths.

The 2018 National Youth Tobacco Survey cites research showing that youth and young adults identify flavors as a primary reason for e-cigarette use. Given the highly addictive nature of nicotine, it is not surprising that high school students who were current flavored e-cigarette users reported an increase in their frequency of vaping. Some brands have particularly high levels of nicotine in that one single e-cigarette may contain as much nicotine as a pack of 20 cigarettes.
Much as youths disproportionately use flavored tobacco products, the same can be said of certain minority groups. According to the Food and Drug Administration (FDA), 85% of African American smokers, 44% of Hispanic smokers, 38% of Asian smokers and 28% of White smokers smoke menthol cigarettes. Native Americans, people who identify as LGBT, and young adults with mental health problems also have disproportionately high rates of smoking menthol cigarettes. Menthol products are more addictive, and both youth and racial/ethnic minorities find it harder to quit smoking menthol cigarettes.

According to the NAACP, "for decades, data has shown that the tobacco industry has successfully and intentionally marketed mentholated cigarettes to African Americans and particularly African American women as "replacement smokers". The recognition of this harsh reality led the NAACP to adopt a unanimous resolution at their 2016 National Convention supporting state and local efforts to restrict the sale of menthol cigarettes and other flavored tobacco products.

Younger smokers are more likely than older smokers to try these products. When Congress enacted the FSPTCA, it found that the use of tobacco products by the nation's children is a "pediatric disease of considerable proportions" that results in new generations of tobacco dependent children and adults.

Although the manufacture and distribution of flavored cigarettes (excluding menthol) are banned by federal law, neither federal law nor New York State law restricts the sale of menthol cigarettes or flavored non-cigarette tobacco products, such as cigars, cigarillos, smokeless tobacco, hookah, electronic smoking devices and the solutions used in these devices.

According to the 2018 Surgeon General's Advisory Regarding the E-cigarette Epidemic Among Youth, e-cigarettes entered the U.S. marketplace around 2007, and since 2014, they have been the most commonly used tobacco product among U.S. youth. E-cigarette use among U.S. middle and high school students increased 900% during 2011-2015. During the past year, current e-cigarette use increased 78% among high school students from 12% in 2017 to 21% in 2018. More than 3.6 million U.S. youth, including 1 in 5 high school students and 1 in 20 middle school students currently use e-cigarettes.

Also according to the Surgeon General, nicotine exposure during adolescence can harm the developing brain that continues to develop until about age 25. Nicotine exposure during adolescence can impact learning, memory, and attention. Using nicotine in adolescence can also increase the risk for future addiction to other drugs. In addition to nicotine, the aerosol that users inhale and exhale from e-cigarettes can potentially expose both themselves and bystanders to other harmful substances including heavy metals, volatile organic compounds, and ultrafine particles that can be inhaled deeply into the lungs.
Since the industry will not reveal what chemicals are in the flavorings in the vapor products, it may be years before we know the full negative impact of the explosive increase in use of e-cigarettes. Scientists have discovered that cinnamon, vanilla, and cherry flavors react with propylene glycol, a main ingredient in many vape juices, to create entirely new chemicals, according to a study published in the journal Nicotine & Tobacco Research. Oct 18, 2018.

The federal government’s National Institute on Drug Abuse reported that teen use of e-cigarettes soared in 2018. The survey, which polled 8th, 10th and 12th graders across the country, found the rise in nicotine vaping was the largest spike for any substance recorded by the study in 44 years.

Flavors appeal to youth and drive youth experimentation with tobacco products:

- Beyond improving palatability, perceptible flavor provides an avenue for youth marketing;
- Youth tobacco users typically begin with flavored products and, overall, use flavored products at higher rates than their older peers;

Flavored tobacco products promote youth tobacco initiation and drive young occasional smokers to daily smoking; Consumers incorrectly perceive flavored tobacco products to be less harmful:

- The presence of characterizing flavors signals product palatability, which incorrectly associated with lower relative harm, influencing consumer brand preference and use;
- Adolescents are more likely to believe that fruit and chocolate or other sweet flavors are less harmful than flavors like alcohol, tobacco, and spice flavors;
- Youth e-cigarette users perceive lower harm from flavored e-cigarettes than from unflavored e-cigarettes despite research documenting harmful constituents present in e-cigarette flavoring;
- The majority of youth who use tobacco choose flavored tobacco products;

E-cigarettes can also be used to deliver other drugs including marijuana. In 2016, one-third of U.S. middle and high school students who ever used e-cigarettes had used marijuana in e-cigarettes.

Albany County has a substantial and important interest in ensuring that existing state and local tobacco sales regulation is effectively enforced:

- Although it is unlawful to sell tobacco products to minors, 5 percent of New York retailers sold to minors between 2010 and 2012;
- A local tobacco retail licensing system will help ensure that tobacco sales comply with the Adolescent Tobacco Use Prevention Act, other tobacco control laws, and the business standards of Albany County;
- Licensing laws in other communities have been effective in reducing the number of illegal tobacco sales to minors;

A local licensing system for retailers of tobacco products, electronic cigarettes, and other products regulated by Article 13-F of New York State Public Health Law is necessary and appropriate for the public health, safety, and welfare of our residents;

Neither federal nor New York law restricts the sale of menthol cigarettes or flavored non-cigarette tobacco products, such as cigarillos, cigars, smokeless tobacco, shisha, e-cigarettes or e-cigarette solutions. It is the intent of Albany County to implement effective measures through this Bill to restrict access to flavored iterations of these products, and thus reduce tobacco experimentation, promote successful cessation, and narrow tobacco-related health disparities; prevent the sale or distribution of contraband tobacco products, and facilitate the enforcement of tax laws and other applicable laws relating to tobacco products.

Section 2: Definitions

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

ACCESSORY means any product that is intended or reasonably expected to be used with or for the human consumption of a Tobacco Product or Electronic Aerosol Delivery System; does not contain tobacco and is not made or derived from tobacco; and meets either of the following: (1) is not intended or reasonably expected to affect or alter the performance, composition, Constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System; or (2) is intended or reasonably expected to affect or maintain the performance, composition, Constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System but solely controls moisture and/or temperature of a stored Tobacco Product or Electronic Aerosol Delivery System.

APPLICANT means an individual, partnership, Limited Liability Company, corporation, or other business entity seeking a Tobacco Retail License.

COMMISSIONER means the Commissioner of the Albany County Department of Health.

COMPONENT OR PART means any software or assembly of materials intended or reasonably expected: (1) to alter or affect the Tobacco Product’s or Electronic Aerosol Delivery System’s performance, composition, Constituents, or characteristics; or (2) to be used with or for the human consumption of a Tobacco Product or Electronic
Aerosol Delivery System. Component or Part excludes any Constituent and any Accessory, and includes, but is not limited to e-liquids, cartridges, certain batteries, heating coils, programmable software, rolling papers and flavorings for Tobacco Products or Electronic Aerosol Delivery Systems.

CONSTITUENT means any ingredient, substance, chemical or compound, other than tobacco, water, or reconstituted tobacco sheet, which is added by the manufacturer to a Covered Product during the processing, manufacture, or packing of the Covered Product. This term shall include smoke and aerosol constituent.

COVERED PRODUCT means a Tobacco Product, Electronic Aerosol Delivery System, or another product regulated by Article 13-F of the New York State Public Health Law.

DEPARTMENT means the Albany County Health Department.

ELECTRONIC AEROSOL DELIVERY SYSTEM means an electronic device that, when activated, produces an aerosol that may be inhaled, whether or not such aerosol contains nicotine. Electronic Aerosol Delivery System includes any Component or Part but not Accessory, and any liquid or other substance to be aerosolized, whether or not separately sold. Electronic Aerosol Delivery System does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

EMISSION means any substance, chemical, or compound released or produced during use of a Covered Product. This term shall include, but is not limited to, smoke, aerosol, saliva, sputum.

FLAVORED PRODUCT means any Covered Product containing a Constituent that imparts a Perceptible taste or aroma different from tobacco or produces an Emission or byproduct that imparts a Perceptible taste or aroma different from tobacco, either before or during use of the Covered Product. A Covered Product is presumed to be a Flavored Product if a Tobacco Retailer, manufacturer, or a manufacturer's agent or employee has:

i. made a statement or claim directed to consumers or the public, whether expressed or implied, that the Covered Product, Emission, or byproduct of the Covered Product smells or tastes different from tobacco, or

ii. Taken action that would be reasonably expected to result in consumers receiving the message that the Covered Product, Emission, or byproduct of the Covered Product smells or tastes different from tobacco.
No product shall be determined to be a Flavored Product solely because of the use of additives or flavorings or the provision of ingredient information.

NEW TOBACCO RETAIL LICENSE means any Tobacco Retail License that is not a Renewed Tobacco Retail License.

PERSON means any natural person, company, corporation, firm, partnership, business, organization, or other legal entity.

PERCEPTIBLE means perceivable by the sense of taste or smell.

RENEWED TOBACCO RETAIL LICENSE means a Tobacco Retail License issued to an Applicant for the same location at which the Applicant possessed a valid Tobacco Retail License during the previous 12 months.

TOBACCO PRODUCT means any product made or derived from tobacco or which contains nicotine, marketed or sold for human consumption, whether consumption occurs through inhalation, or oral or dermal absorption. Tobacco Product includes any Component or Part, but not Accessory. Tobacco Product does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

TOBACCO RETAILER means a retailer licensed pursuant to this Law.

TOBACCO RETAIL LICENSE means a license issued by the Department to a Person to engage in the retail sale in Albany County of a Covered Product.

Section 3: Requirement for Tobacco Retail License

(A)(1) No Person shall sell, offer for sale, or permit the sale of a Covered Product by retail within Albany County, without a valid Tobacco Retail License. A Tobacco Retail License is not required for a wholesale dealer who sells products to retail dealers for the purpose of resale only and does not sell a Covered Product directly to consumers.

(A)(2) Notwithstanding the requirements set forth in Section 3(A)(1), this Law shall not apply to registered organizations pursuant to Title V-A of Article 33 of New York Public Health Law.

(B) A Tobacco Retail License issued pursuant to this Law is nontransferable and nonassignable and valid only for the Applicant and the specific address indicated on the Tobacco Retail License. A separate Tobacco Retail License is required for each
address where a Covered Product is sold or offered for sale. A change in business ownership or business address requires a New Tobacco Retail License.

Section 4: License Application and Application Fee

(A) An application for a New Tobacco Retail License or Renewed Tobacco Retail License shall be submitted to the Department in writing upon a form provided by the Department and shall contain information as required by the Department. The Department may require such forms to be signed and verified by the Applicant or an authorized agent thereof.

(B) Each application for a Tobacco Retail License shall be accompanied by a nonrefundable application fee of $50, or as determined by the Commissioner.

(C) Upon the receipt of a completed application for a Tobacco Retail License and the application fee required by Section 4(B), the Department shall inspect the location at which tobacco sales are to be permitted. The Department may ask the Applicant to provide additional information that is reasonably related to the determination of whether a license may issue.

Section 5: Issuance of Licenses

(A) No Tobacco Retail License shall be issued to any seller of a Covered Product that is not in a fixed, permanent location.

(B) The issuance of a Tobacco Retail License pursuant to this Bill is done in Albany County’s discretion and shall not confer upon licensee any property rights in the continued possession of such a license.

(C) The Department shall collect from the Applicant the Tobacco Retail License fee proscribed in Section 6 prior issuing the Tobacco Retail License.

(D) The Department may refuse to issue a Tobacco Retail License to an Applicant if it finds that one or more of the following bases for denial exists:

   (1) The information presented in the application is incomplete, inaccurate, false, or misleading;

   (2) The fee for the application has not been paid as required;

   (3) The Applicant does not possess valid certification of registration or licensure required by state or federal law for the sale of a Covered Product;
(4) The Department has previously revoked a Tobacco Retail License issued under this Bill to the Applicant;

(5) The Department has previously revoked a Tobacco Retail License issued under this Bill for the same address or location;

(6) The Applicant has been found by a court of law or administrative body to have violated any federal, state, or local laws pertaining to (a) trafficking in contraband Tobacco Products or illegal drugs, (b) the payment or collection of taxes on a Covered Product, (c) the display of a Covered Product or of health warnings pertaining to a Covered Product, or (d) the sale of a Covered Product;

(7) The Applicant has not paid to Albany County outstanding fees, fines, penalties, or other charges owed to Albany County, including the fee for the Tobacco Retail License required by Section 6; or

(8) The Department determines, in accordance with written criteria established to further the purposes of this Bill, that the Applicant is otherwise not fit to hold a Tobacco Retail License.

Section 6: License Term and Annual License Fee

(A) A Tobacco Retail License issued pursuant to this Bill shall be valid for no more than one year and shall expire on the thirty-first day of December of the calendar year for which it is issued. As set forth in Section 8, a Tobacco Retail License may be revoked for cause by the Department prior to its expiration for cause.

(B) The Department shall charge an annual Tobacco Retail License fee of $250 or as determined by the Commissioner.

(C) The Commissioner may discount the Tobacco Retail License fee required by Section 6(B) for an application received within ten (10) months of the expiration date.

(D) Beginning two years from the effective date of this Bill, the Department may, on an annual basis, modify the Tobacco Retail License fee required pursuant to Section 6(B). The Tobacco Retail License fee shall be calculated so as to recover the cost of administration and enforcement of this Bill, including, for example, issuing a license, administering the license program, hiring and training staff, identifying Flavored Products, retailer and community education, retailer inspection and compliance checks, documentation of violations, and prosecution of violators, but shall not exceed the cost of the regulatory program authorized by this Bill. All fees and interest upon
proceeds of fees shall be used exclusively to fund the program. Fees are nonrefundable except as may be required by law.

Section 7: License Display

(A) A Tobacco Retail License issued pursuant to this Bill shall be conspicuously displayed at the location where a Covered Product is sold so that it is readily visible to customers.

(B) Selling, offering for sale, or permitting the sale of any Covered Product without a valid Tobacco Retail License displayed in accordance with Section 7(A) constitutes a violation of this Bill.

Section 8: Sale of Flavored Products Prohibited

No Tobacco Retailer shall distribute without charge, sell, offer for sale, or possess with intent to sell, offer for sale, or distribute without charge a Flavored Product. This applies to remote transactions, including but not limited to internet or mail-order sale, by a Tobacco Retailer licensed pursuant to this Law.

Section 9: Revocation of Licenses

(A) The Department may suspend or revoke a Tobacco Retail License issued pursuant to this Bill for violations of the terms and conditions of this Bill or for violation of any federal, state, or local law or regulation pertaining to (a) trafficking in contraband Tobacco Products or illegal drugs, (b) the payment or collection of taxes on Covered Products, (c) the display of Covered Products or of health warnings pertaining to Covered Products, or (d) the sale of a Covered Product.

(B) The Department may revoke a Tobacco Retail License if the Department finds that one or more of the bases for denial of a license under Section 5 existed at the time application was made or at any time before the license issued.

Section 10: Violations and Enforcement

(A) The Department or its authorized designee(s) shall enforce the provisions of this Bill. The Department may conduct periodic inspections to ensure compliance with this Bill.

(B) In addition to the penalties provided for in Section 8, any Person found to be in violation of this Bill shall be liable for civil penalty of not more than $500 for the first violation, not more than $1000 for the second violation within a two-year period, and not more than $5000 but no less than $1500 for the third and each subsequent violation within a two-year period, or as determined by the Commissioner. Each day
on which a violation occurs shall be considered a separate and distinct violation. These fines will be used for County anti-smoking/anti-vaping public health efforts.

Section 11: Rules and Regulations

The Department may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this Bill.

Section 12: Severability

The provisions of this Bill are declared to be severable, and if any section of this Bill is held to be invalid, such invalidity shall not affect the other provisions of this Bill that can be given effect without the invalidated provision.

Section 13: Effective Date

The effective date of this ordinance shall be 120 days subsequent to its filing with the Office of the Secretary of State.

*Referred to Law and Health Committees – 3/11/19*
*Without Recommendation Law Committee – 6/24/19*
*Favorable Recommendation Health Committee – 6/26/19*