AGENDA BACK-UP

ALBANY COUNTY LEGISLATURE

SEPTEMBER 9, 2019
LOCAL LAW D— FOR 2019

A LOCAL LAW TO INCENTIVIZE THE USE OF REUSABLE SHOPPING BAGS AND TO INSTITUTE A FEE ON THE USE OF PAPER BAGS IN ELIMINATE THE USE OF SINGLE-USE PLASTIC BAGS IN ALBANY COUNTY SHOPPING ESTABLISHMENTS

Introduced: 02/28/2019
By Ms. Cunningham, Messrs. Reinhardt, Mss. Lekakis and Plotsky, Messrs. Dawson and Fein, Ms. McLean Lane, Messrs. Joyce, Higgins, O'Brien, Bullock and Mayo:

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

Section 1. Title.

This Local Law shall be known as the “The Albany County Reusable Shopping Bag Incentive Act/Eliminate Single-Use Plastic Bag Use in Albany County Act.”

Section 2. Legislative Purpose and Findings.

The Albany County Legislature hereby finds and determines that it is imperative that the use and reliance on single-use plastic shopping bags must be reduced, and ultimately, eliminated. Further, the data and evidence supporting the massive proliferation of single-use plastic bags in Albany County, the State of New York and in our nation is troubling and the future of our planet depends on legislative bodies such as the Albany County Legislature taking proactive steps to mitigate and eliminate the unnecessary usage of single-use plastic bags in Albany County.

Environmental Impact: The Environmental Protection Agency's data indicates that between 500 billion and 1 trillion plastic bags are consumed worldwide each year. The United States is purportedly responsible for using approximately 100-260 million plastic bags annually. To manufacture 100 billion plastic bags, 12 million barrels of oil is required. The production and disposal of single-use plastic bags has significant environmental consequences and impacts including the contamination of the environment, the depletion of natural resources, the use of non-renewable polluting fossil fuels and increased clean up and disposal costs and challenges.

It is now believed that there are 5.25 trillion pieces of plastic debris in the ocean. Of that mass, 260,000 tons float on the surface, while some four billion plastic microfibers per square kilometer litter the deep sea. Ocean debris, which predominantly consists of plastic pollution, has dire consequences for ocean mammals and birds, which commonly mistake plastic bags for food. Plastic bags have been
found in the intestines and stomachs of marine life, and one in three leatherback sea turtles have been found with plastic in their stomachs. Plastic ocean debris is responsible for killing an estimated 1,000,000 seabirds and 100,000 ocean mammals each year. At least 267 different species have been negatively affected by plastic pollution, including plastic bags.

Over-reliance on plastic: The average American family takes home almost 1,500 single-use plastic bags each year, and a single-use plastic bag is used for an average of 12 minutes. Other data suggests that an average family accumulates 60 plastic bags in only four trips to the grocery store. The average American recycles one plastic bag out of every 200 used.

The Albany County Legislature applauds Governor Cuomo and the New York State for their inclusion in the 2019 New York State Budget of the "New York State Bag Waste Reduction Act" and further intends to take steps to institute a paper bag fee to ensure that bag waste is further reduced. The Albany County Legislature is concerned that without the imposition of a fee, along with the creation and implementation of aggressive efforts to educate consumers to change behavior to begin using reusable bags, Albany County will experience a new environmental problem that results from the overuse of paper bags. This will yield to increased landfill use for the increase in paper bag usage, prices in local grocery and convenience stores increasing due to the increased costs associated with a move from plastic to paper bags and other potential unintended negative consequences.

Managing the disposal of single-use plastic bags is also costly to the taxpayer. In communities that have enacted policies to discourage the use of single-use plastic bags, there have been data collected indicating that the disposal costs of managing the trash impact of plastic bag garbage is significant. From the New York State Plastic Bag Task Force, created by Governor Cuomo in 2017, this analysis of the cost to taxpayers in particular communities:

"Prior to California’s statewide single-use plastic bag ban, the City of San Diego consumed 500 million single-use plastic bags each year. Approximately 95% of these ended up in landfills and cost the people of California $25 million per year to manage. A 2013 study reported that of the 100 billion single-use plastic bags that Americans use each year, nearly 50 million end up as litter nationwide. The study also indicated that residents in coastal areas pay almost $15 per resident in overall litter cleanup costs. According to a draft proposal in 2017 for a single-use plastic bag ban in Madison County, NY, it was noted that the county "expends significant sums of money to control and pick up litter." In NYC alone, single-use carry out bags account for 1,700 tons of residential garbage each week, which equates to 91,000 tons of plastic and paper.
carry-out bags each year and presently costs the City $13.5 million annually to dispose of this material outside the city."

The Albany County Legislature further finds that policies aimed at banning single-use plastic bags or charging a fee for recyclable bags usage are effective.

Solutions that result in a fee for single-use bags, or that institute a ban on single-use plastic bags altogether work effectively, with resounding results. Data supporting this is abundant—when the City of Los Angeles, CA adopted a ban/fee hybrid policy model in 2013, there was a 74% reduction in carry-out bag consumption.

Further, policy proposals to combat the consumption of single-use plastic bags is prolific across the world. According to the Governor’s report:

_Municipalities within New York State, across the United States, and around the world have implemented single-use plastic bag reduction measures in a variety of forms. On a worldwide scale, more than 25 countries have taken steps to reduce the consumption of single-use plastic bags. About one-third of these have instituted bans, approximately one-third have instituted fees, and the remaining one-third have taken the approaches listed below that differ from an outright ban or fee._

As of March 2017, bans on the distribution of single-use plastic bags existed in nearly 100 cities, towns, and municipalities across the country, and fees existed in almost 20. Of the existing single-use bag fees, at least half are used in combination with a bag ban. In these instances, plastic bags are banned and the fees exist on other types of single-use carry-out bags such as paper- and compostable plastic. Most programs across the United States, for either a ban or a fee, include an exemption for certain bags such as produce and meat bags, prescription bags, dry cleaning bags, and newspaper bags.

In New York State, ten cities, towns, or villages have enacted plastic bag bans and one municipality has a plastic bag ban with a fee on single-use paper bags and bags that qualify as reusable, including 3.25 mil flexible plastic bags. The City of Long Beach has a single-use plastic bag for-in-place and Suffolk County’s single-use plastic bag fee took effect January 1, 2018.

_Municipalities that have taken these steps find successful outcomes with significant reductions in the carry-out bag consumption, including that of single-use plastic bags. In addition, municipalities are also finding taxpayer/direct environmental benefit from instituting bag bans or fees._ The City of San Jose saw an 80% reduction in plastic bags in their storm drain system, a 60% reduction of plastic bag litter in their...
Section 3. Definitions

For purposes of this Local Law, the following terms shall have the meanings indicated below:

(a) "Covered Store" shall mean an establishment engaged in the retail sale of personal, consumer, household items including but not limited to: drug stores, pharmacies, grocery stores, supermarkets, convenience stores, foodmarts, gas stations, hardware and home improvement stores, stationary and office supply stores and food service establishments that provide carryout bags to consumers. Covered stores also include all apparel, clothing and shoe stores, including those in malls.

(b) "Customer" shall mean any person obtaining goods from a covered store.

(c) "Food Service Establishment" shall mean a place where prepared food is provided for individual portion-service directly to a customer whether consumption occurs on or off the premises.

(d) "Person" shall mean any natural person, firm, corporation, partnership or other organization or group, however organized.

(e) "Single-use Plastic Carryout Bag" shall mean a single-use plastic bag less than 4 mil thick, or a plastic bag less than 1/1000" in thickness that is provided by a covered store to a customer at the point of sale and is used to carry goods from such store. A typical plastic supermarket bag is 0.5 mil thick, a thinner "mall store" plastic bag is 2.3 mil thick or greater. "Single-use Plastic Carryout Bag" does not include (1) a bag without handles used to carry produce, meat, dry goods or other non-prepackaged food items to the point of sale within a store or market or to prevent such food items from coming into direct contact with other purchased items; (2) a garment bag or large plastic bag with two openings that is used to transport clothing from a clothing retailer or garment cleaner such as a dry cleaner.

(f) "Paper Carryout Bag" shall have the same meaning as set forth in Title 27, Section 27-2801 of the New York State Environmental Conservation Law. Recyclable Paper Bag shall mean a paper bag that (1) contains no old-growth fiber; (2) containing one hundred percent (100%) recyclable content; or contains a minimum of forty percent (40%) post-consumer recycled content.

(g) "Retail Sales" shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sale, farmers' markets, flea markets and restaurants. The term "retail sales" does not include sales of goods at yard sales, tag sales, or other sales by residents at their homes.

(h) "Reusable Bag" shall have the same meaning as set forth in Title 27, Section 27-2801 of the New York State Environmental Conservation Law.

(i) "Paper Carryout Reduction Fee" shall have the same meaning as set forth in Title 27-2805 of the New York State Environmental Conservation Law.
(a) means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all the following requirements: (1) has a minimum lifetime of one hundred twenty-five (125) uses, which for purposes of this subsection, means the capability of carrying a minimum of twenty-two (22) pounds one hundred twenty-five (125) times over a distance of at least one hundred seventy-five (175) feet; (2) is machine-washable or capable of being cleaned and disinfected; (3) does not contain lead, cadmium, or any other heavy metal in toxic amounts as defined by applicable State and Federal standards and regulations for packaging or reusable bags; and (4) is made of plastic—a minimum of 4-mile-thick.

Section 4. Prohibition:

No covered store shall provide a single-use plastic carryout bag to any customer at the check-out stand, each register point-of-sale or other point of departure, for the purpose of transporting food or merchandise out of the establishment. This prohibition shall also apply to any “order online and pick-up in-store” or food delivery service.

Section 4B Imposition of Fees for Use of Paper Bags/Permitted Bags:

(a) In accordance with Section 27:2805 of the New York State Environmental Conservation Law, Albany County establishments subject to the ban on Plastic Carryout Bags set forth in Section 27:2803 of the New York State Environmental Conservation Law shall charge customers a Paper Carryout Reduction Fee of Covered stores may not provide or make available to customers at the check-out stand, each register point of sale or other point of departure any single-use plastic carry-out bag for the purpose of transporting food or merchandise out of the establishment.

(b) All covered stores shall make available to customers, only recyclable paper bags or boxes, or reusable bags for the purpose of carrying away goods or other materials from the point of sale. Nothing in this local law prohibits customers from using bags of any type that they bring to the store themselves or from carrying away goods that are not placed in a bag. In lieu of using bags provided by the store.

(c) On or immediately after the effective date of this law, Albany County covered stores shall charge customers at least $0.05 for each Paper Carryout Bag the Establishment provides to customers, recyclable paper bag that is provided to customers. On or immediately after the effective date, all covered stores shall indicate on the customer receipt the number of Paper Carryout Bags, recyclable paper bags that are provided to customers and the fee at which they were charged for the use of such bag, the recyclable paper bag. All monies collected by a covered store shall be retained by the covered store.

Per Title 28, Section 2 of the NYS 2019 Budget Bill, the $0.05 fee shall be reflected on the sales slip, invoice, receipt provided to the customer. The use of
single-use plastic bags shall be prohibited, while the use of recyclable paper bags shall be available. On or immediately after the effective date, recyclable paper bags shall be available for at least $0.05 and single-use plastic bags shall not be available in Albany County Covered Stores.

(b) Exempt individuals that shall not pay the $0.05 fee include any customers identified in Section 27-2805 Subsection 3 of the New York State Environmental Conservation Law, using the supplemental nutritional assistance program—special supplemental nutrition program for women, infants, and children—or any successor program used as full or partial payment for any item purchased.

(c) The $0.05 fee shall be reported and paid to the New York State Commissioner of Taxation and Finance per the requirements identified in Section 27-2805 Subsection 4 of the New York State Environmental Conservation Law.

Section 5 Distribution of Fees and Transparency of Fee Collections

(a) Par Section 27-2806 of the New York Environmental Conservation Law, forty percent of the fee shall be provided to Albany County for the purpose of purchasing reusable bags for Albany County residents, particularly those of low-income or limited means. New York State Law, S.02 of the $0.05 fee shall be paid to the State of New York Environmental Protection Fund. The remaining $0.02 will be paid to the Comptroller of Albany County for purposes of establishing programs to purchase reusable bags provided to customers for their direct use.

(b) The Albany County Comptroller, upon receipt of these funds, will provide the funds generated by the S.02 to the Albany County Department of XXXxwill provide these funds to the Albany County Department charged with implementing this local law, for purposes of offsetting costs for purchasing reusable bags for Albany County residents, as well as to provide funds to offset expenses for programs, advertising and other initiatives identified in the Model Consumer Education Program (Section 8a of this local law).

(c) Section 6. Responsibilities and Obligations of Covered Stores

(a) All covered stores shall post signs at or near the point of sale located in such Covered Stores to notify customers of the provisions of this Local Law, as
well as the per bag charge for recyclable paper bags and reusable bags that the store may offer. Covered stores shall also indicate in signage that recyclable paper bags will be available for a charge of at least $0.05 each recyclable paper bag.

Covered Stores must make available, on the customer receipt, the itemized number of recyclable or reusable bags used, on the sales receipt, including online receipts.

Covered stores may retain the mandatory bag fee of at least $0.05 per recyclable paper bag.

No Covered Store shall provide a credit to any person specifically for the purpose of offsetting or avoiding the carryout bag charge required by this Local Law.

Covered Stores shall be encouraged to work with organizations seeking to donate reusable bags for customer use that would allow for wide, free distribution of free reusable bags.

Covered stores shall also be encouraged to adopt "leave-a-bag" "take-a-bag" initiatives that encourage consumer engagement on the use of reusable bags and that aim to enable wide adoption in communities with a high proportion of customers with limited incomes.

Covered stores shall waive the fee for any customers using Supplemental Nutrition Assistance Program (SNAP) and the federal Women, Infants, and Children (WIC) Program cards. Covered stores shall have discretion in waiving the recyclable bag fee for any low-income constituency it deems appropriate.

Covered stores shall be discouraged from "stock-piling" plastic bag inventory and shall make every effort to be ready for the implementation of this local law.

Section 7. Deduction from Employee Wages Prohibition

Covered stores are prohibited from making a charge against, or deduction from, the wages of an employee to offset any penalty levied against the covered store pursuant to this local law.

Section 8. Albany County Responsibilities, Enforcement and Penalties

(a) Consumer Education Program: Upon the date of enactment, the Albany County Executive shall designate a Department within the Albany County government at XXXX to immediately begin work to put into place a model Consumer Education Program with the following goals:

i. Work collaboratively with all covered stores (in particular the large grocery stores and convenience stores) to hold County-supported round table discussions at various locations around the County about how to best educate consumers about the impending state plastic bag ban and the Albany county paper bag fee.
ii. Develop educational marketing materials with a uniform message to help educate Albany County residents about the impending bag ban/fee law. These marketing materials shall include web-based informational campaigns as well as signage for stores to utilize to educate consumers. The Albany County Department of XXX shall also consider paid advertising in highly trafficked locations including billboards, signage on buses, etc. shall also be considered.

- Work with covered stores to identify constituencies who may be late adopters of using reusable bags. Once identified, special outreach shall be made to these "late adopter" constituencies to encourage and facilitate their adoption of using reusable bags. These efforts could include outreach to social or employment centers that are frequented by the "late adopter" populations and other outreaches. This effort may also include the purchase of reusable bags by Albany County as a tool to encourage adoption of the use of reusable bags by the "late adopters".

(1) Department that will oversee this Local Law: The Albany County Executive shall deem the appropriate department within Albany County Government to oversee the enforcement, implementation of regulations and other guidance to secure the successful implementation of this Local Law. Further, the County Executive shall inform the Legislature of his or her recommendation to ensure enforcement of this Local Law. In addition, on an annual basis, the Department selected by the Albany County Executive to oversee and implement this local law shall prepare an annual recycling report that includes information detailing the success of the effort to eliminate the commercial use of plastic bags and include information such as:

i. the effectiveness of this local law in reducing the use of paper bags, single-use, carryout bags;

ii. the landfill space that is affected by the use of paper bags;

iii. the waste and litter reduction benefits of this local law;

iv. the number of notices of violation issued pursuant to this Local Law, and

v. any cost savings to the County attributable to single-use carryout bag reduction such as reduced contamination of local waterways or reduction in flooding or combined sewer overflows. This report shall also be shared with state and local legislators, as well as provided to the New York State Department of Environmental Conservation.

(2) Compliance Assistance to Business and Retail Community: The County Executive shall ensure that information regarding this Local Law, its effective date, penalties and other relevant compliance information shall be
distributed via website and other electronic means in order to ensure that Albany County’s Covered Stores shall be well informed about all aspects of compliance and adherence. The Albany County Department that will oversee and implement this law shall provide electronic templates that include the important information regarding this local law referenced in Section 6, subsection 6 regarding the imposition of the bag fee that covered stores shall be able to print out and display at points of sale. This template shall be easily downloadable from the County website and hard copies shall be made available at the Albany County Office Building for retail operators who need signage. In addition, the Albany County Department that will oversee this local law shall engage the business and retail community affected by this local law prior to the implementation date to provide technical and other assistance and information, and shared approaches regarding compliance. These outreachs to the business community shall include county-wide business round tables.

vi.(f) Violations: In accordance with Section 27-2807 of the New York State Environmental Conservation Law, penalties will be levied. Additional penalties related to violations regarding the implementation of the Paper Bag Carryout fee covered in this local law will be the following: Penalties for any Covered Store found to be in violation of the provisions of this law shall be liable for a civil penalty payable to the County of Albany pursuant to the following penalty structure:
i. Any Covered Store found to be in violation of the provisions of this law a first time shall be issued a written warning.
ii. Any Covered Store found to be in violation of the provisions of this law a second time shall be liable for a civil penalty not to exceed $100.00.
iii. Any Covered Store found to be in violation of the provisions of this law a third time shall be liable for a civil penalty not to exceed $250.00.
iv. Any Covered Store found to be in violation of the provisions of this law a fourth time shall be liable for a civil penalty not to exceed $500.00.
v. For each subsequent violation, daily fines of $100.00 shall be instituted and applied for violations of this Local Law until compliance is achieved.
vi. The Albany County Executive’s designee department shall have the discretion to institute additional punishments for those temporarily suspend the business practices of Covered Stores that persistently violate this Local Law.

vii. All fines collected for violations of the Local Law shall be used to offset any costs of compliance and oversight of adherence to this Local Law.

Section 89. Severability.
If any clause, sentence, paragraph, section or any part of this local law or the application thereof to any person, individual corporation, firm, partnership, entity or
circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

Section 10.9. Reverse Preemption.

This local law shall be null and void on the day that a statewide law is in effect, incorporating either the same or substantially similar provisions as are contained in this local law or in the event that a relevant state or federal administrative agency issues and promulgates regulations preempting such action by the County of Albany. The Albany County Legislature shall determine by resolution whether or not the identical or substantially similar statewide law or relevant pre-emptive state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section 11.40. Effective Date.

The effective date of this local law will be 6 (six)-months from the date of its filing with the Secretary of State—simultaneous to the effective date of the single-use statewide bag ban. March 1, 2020.
LOCAL LAW D FOR 2019

A LOCAL LAW TO INCENTIVIZE THE USE OF REUSABLE SHOPPING BAGS AND TO INSTITUTE A FEE ON THE USE OF PAPER BAGS IN ALBANY COUNTY SHOPPING ESTABLISHMENTS

Introduced: 02/28/2019
By Ms. Cunningham, Messrs. Reinhardt, Mrs. Lekakis and Plotsky, Messrs. Dawson and Fein, Ms. McLean Lane, Messrs. Joyce, Higgins, O'Brien, Bullock and Mayo:

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

Section 1. Title.

This Local Law shall be known as the "The Albany County Reusable Shopping Bag Incentive Act"

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Environmental Impact: The Environmental Protection Agency's data indicates that between 500 billion and 1 trillion plastic bags are consumed worldwide each year. The United States is purportedly responsible for using approximately 100-260 million plastic bags annually. To manufacture 100 billion plastic bags, 12 million barrels of oil is required. The production and disposal of single-use plastic bags has significant environmental consequences and impacts including the contamination of the environment, the depletion of natural resources, the use of non-renewable polluting fossil fuels and increased clean up and disposal costs and challenges.

It is now believed that there are 5.25 trillion pieces of plastic debris in the ocean. Of that mass, 269,000 tons float on the surface, while some four billion plastic microfibers per square kilometer litter the deep sea. Ocean debris, which predominantly consists of plastic pollution, has dire consequences for ocean mammals and birds, which commonly mistake plastic bags for food. Plastic bags have been found in the intestines and stomachs of marine life, and one in three leatherback sea
turtles have been found with plastic in their stomachs. Plastic ocean debris is responsible for killing an estimated 1,000,000 seabirds and 100,000 ocean mammals each year. At least 267 different species have been negatively affected by plastic pollution, including plastic bags.

**Over-reliance on plastic:** The average American family takes home almost 1,500 single-use plastic bags each year, and a single-use plastic bag is used for an average of 12 minutes. Other data suggests that an average family accumulates 60 plastic bags in only four trips to the grocery store. The average American recycles one plastic bag out of every 200 used.

The Albany County Legislature applauds Governor Cuomo and the New York State for their inclusion in the 2019 New York State Budget of the “New York State Bag Waste Reduction Act” and further intends to take steps to institute a paper bag fee to ensure that bag waste is further reduced. The Albany County Legislature is concerned that without the imposition of a fee, along with the creation and implementation of aggressive efforts to educate consumers to change behavior to begin using reusable bags, Albany County will experience a new environmental problem that results from the overuse of paper bags. This will yield to increased landfill use for the increase in paper bag usage, prices in local grocery and convenience stores increasing due to the increased costs associated with a move from plastic to paper bags and other potential unintended negative consequences.

**Section 3. Definitions**

For purposes of this Local Law, the following terms shall have the meanings indicated below:

(a) “Covered Store” shall mean an establishment engaged in the retail sale of personal, consumer, household items including but not limited to: drug stores, pharmacies, grocery stores, supermarkets, convenience stores, foodmarts, gas stations, hardware and home improvement stores, stationary and office supply stores and food service establishments that provide carryout bags to consumers. Covered stores also include all apparel, clothing and shoe stores, including those in malls.

(b) “Customer” shall mean any person obtaining goods from a covered store.

(c) “Person” shall mean any natural person, firm, corporation, partnership or other organization or group, however organized”.

(d) “Paper Carryout Bag” shall have the same meaning as set forth in Title 27, Section 27-2801 of the New York State Environmental Conservation Law.

(e) “Retail Sales” shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sale, farmers’ markets, flea markets and restaurants. The term “retail sales” does not include sales of goods at yard sales, tag sales, or other sales by residents at their homes.
(f) "Reusable Bag" shall have the same meaning as set forth in Title 27, Section 27-2801 of the New York State Environmental Conservation Law.

(g) "Paper Carryout Reduction Fee" shall have the same meaning as set forth in Title 27-2805 of the New York State Environmental Conservation Law.

Section 4 Imposition of Fees for Use of Paper Bags

(a) In accordance with Section 27-2805 of the New York State Environmental Conservation Law, Albany County establishments subject to the ban on Plastic Carryout Bags set forth in Section 27-2803 of the New York State Environmental Conservation Law shall charge customers a Paper Carryout Reduction Fee of $.05 for each Paper Carryout Bag the Establishment provides to customers. On the effective date, all covered stores shall indicate on the customer receipt the number of Paper Carryout Bags that are provided to customers and the fee at which they were charged for the use of such bag.

(b) Exempt individuals that shall not pay the $.05 fee include any customers identified in Section 27-2805 Subsection 3 of the New York State Environmental Conservation Law.

(c) The $.05 fee shall be reported and paid to the New York State Commissioner of Taxation and Finance per the requirements identified in Section 27-2805 Subsection 4 of the New York State Environmental Conservation Law.

Section 5 Distribution of Fees and Transparency of Fee Collection

(a) Per Section 27-2805 of the New York Environmental Conservation Law, forty percent of the fee shall be provided to Albany County for the purpose of purchasing reusable bags for Albany County residents, particularly those of low-income or limited means.

(b) The Albany County Comptroller, upon receipt of these funds, will provide these funds to the Albany County Department charged with implementing this local law, for purposes of offsetting costs for purchasing reusable bags for Albany County residents, as well as to provide funds to offset expenses for programs, advertising and other initiatives identified in the Model Consumer Education Program (Section 8a of this local law).

Section 6. Responsibilities and Obligations of Covered Stores.

(a) All covered stores shall post signs at or near the point of sale located in such Covered Stores to notify customers of the provisions of this Local Law. Covered
stores shall also indicate in signage that recyclable paper bags will be available for a charge of $.05 each recyclable paper bag.

(b) Covered Stores must make available, on the customer receipt, the itemized number of recyclable or reusable bags used, on the sales receipt, including online receipts.

(c) No Covered Store shall provide a credit to any person specifically for the purpose of offsetting or avoiding the carryout bag charge required by this Local Law.

(d) Covered Stores shall be encouraged to work with organizations seeking to donate reusable bags for customer use that would allow for wide, free distribution of free reusable bags.

(e) Covered stores shall also be encouraged to adopt “leave-a-bag” “take-a-bag” initiatives that encourage consumer engagement on the use of reusable bags and that aim to enable wide adoption in communities with a high proportion of customers with limited incomes.

Section 7. Deduction from Employee Wages Prohibition

Covered stores are prohibited from making a charge against, or deduction from, the wages of an employee to offset any penalty levied against the covered store pursuant to this local law.

Section 8. Albany County Responsibilities, Enforcement and Penalties.

(a) Consumer Education Program: Upon the date of enactment, the Albany County Executive shall designate a Department within the Albany County government to immediately begin work to put into place a model Consumer Education Program with the following goals:

i. Work collaboratively with all covered stores (in particular the large grocery stores and convenience stores) to hold County-supported round table discussions at various locations around the County about how to best educate consumers about the impending state plastic bag ban and the Albany county paper bag fee.

ii. Develop educational marketing materials with a uniform message to help educate Albany County residents about the impending bag ban/fee law. These marketing materials shall include web based informational campaigns as well as signage for stores to utilize to educate consumers. Paid advertising in highly trafficked locations including bill boards, signage on buses, etc. shall also be considered.

Work with covered stores to identify constituencies who may be late adopters of using reusable bags. Once identified, special outreach shall be made to these “late adopter” constituencies to encourage and facilitate their adoption of using reusable bags.
These efforts could include outreach to social or employment centers that are frequented by the "late adopter" populations and other outreaches. This effort may also include the purchase of reusable bags by Albany County as a tool to encourage adoption of the use of reusable bags by the "late adopters".

(b) Department that will oversee this Local Law: The Albany County Executive shall deem the appropriate department within Albany County Government to oversee the enforcement, implementation of regulations and other guidance to secure the successful implementation of this Local Law. Further, the County Executive shall inform the Legislature of his or her recommendation to ensure enforcement of this Local Law. In addition, on an annual basis, the Department selected by the Albany County Executive to oversee and implement this local law shall prepare an annual recycling report that includes information detailing the success of the effort to eliminate the commercial use of plastic bags and include information such as:
   i. the effectiveness of this local law in reducing the use of paper bags;
   ii. the landfill space that is affected by the use of paper bags;
   iii. the number of notices of violation issued pursuant to this Local Law; and

(c) Compliance Assistance to Business and Retail Community: The County Executive shall ensure that information regarding this Local Law, its effective date, penalties and other relevant compliance information shall be distributed via website and other electronic means in order to ensure that Albany County’s Covered Stores shall be well informed about all aspects of compliance and adherence. The Albany County Department that will oversee and implement this law shall provide electronic templates regarding the imposition of the bag fee that covered stores shall be able to print out and display at points of sale. This template shall be easily downloadable from the County website and hard copies shall be made available at the Albany County Office Building for retail operators who need signage. In addition, the Albany County Department that will oversee this local law shall engage the business and retail community affected by this local law prior to the implementation date to provide technical and other assistance and information, and shared approaches regarding compliance. These outreaches to the business community shall include county-wide business round tables.

(d) Violations: In accordance with Section 27-2807 of the New York State Environmental Conservation Law, penalties will be levied. Additional penalties related to violations regarding the implementation of the Paper Bag Carryout fee covered in this local law will be the following:
   i. Any Covered Store found to be in violation of the provisions of this law a first time shall be issued a written warning.
   ii. Any Covered Store found to be in violation of the provisions of this law a second time shall be liable for a civil penalty not to exceed $100.00.
iii. Any Covered Store found to be in violation of the provisions of this law a third time shall be liable for a civil penalty not to exceed $250.00.
iv. Any Covered Store found to be in violation of the provisions of this law a fourth time shall be liable for a civil penalty not to exceed $500.00.
v. For each subsequent violation, daily fines of $100.00 shall be instituted and applied for violations of this Local Law until compliance is achieved.
vi. The Albany County Executive’s designee department shall have the discretion to institute additional punishments for those Covered Stores that persistently violate this Local Law.

Section 9. Severability.
If any clause, sentence, paragraph, section or any part of this local law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

Section 10. Reverse Preemption.

This local law shall be null and void on the day that a statewide law is in effect, incorporating either the same or substantially similar provisions as are contained in this local law or in the event that a relevant state or federal administrative agency issues and promulgates regulations preempting such action by the County of Albany. The Albany County Legislature shall determine by resolution whether or not the identical or substantially similar statewide law or relevant pre-emptive state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section 11. Effective Date.

The effective date of this local law will be simultaneous to the effective date of the single-use statewide bag ban, March 1, 2020.
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 - Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany County Legislature</td>
</tr>
<tr>
<td><strong>Name of Action or Project:</strong></td>
</tr>
<tr>
<td>Local Law to Incentivize the use of reusable shopping bags and institute a fee on the use of Paper Bags in Albany County</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong></td>
</tr>
<tr>
<td>Albany County</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong></td>
</tr>
<tr>
<td>Adoption of a local law known as the &quot;Albany County Reusable Shopping Bag Incentive Act&quot; to incentivize the use of reusable shopping bags by imposing a fee on the use of paper bags in covered stores. The intent of the law is to further reduce bag waste. The law is applicable to establishments engaged in the retail sales of personal, consumer, and household items and food service establishments that provide carryout bags. Also all apparel, clothing and shoe stores. No adverse impacts to environmental resources are anticipated from this action. (see attached proposed Local Law No. &quot;D&quot; for 2019.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: (518) 447-7168</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany County</td>
<td>E-Mail:</td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>112 State St. Room 710</td>
<td></td>
</tr>
<tr>
<td><strong>City/PO:</strong></td>
<td><strong>State:</strong> NY</td>
</tr>
<tr>
<td>Albany</td>
<td></td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? **NO** **YES**
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other governmental Agency? **NO** **YES**
   If Yes, list agency(ies) name and permit or approval:

3. a. Total acreage of the site of the proposed action? __________ acres
    b. Total acreage to be physically disturbed? __________ acres
    c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? __________ acres

4. Check all land uses that occur on, adjoining and near the proposed action.
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other (specify): ____________________________
   - [ ] Parkland

Page 1 of 4
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
   □ NO □ YES □ N/A  
   b. Consistent with the adopted comprehensive plan?  
   □ NO □ YES □ N/A  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   □ NO □ YES □ N/A  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  
   □ NO □ YES □ N/A  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   □ NO □ YES □ N/A  
   b. Are public transportation service(s) available at or near the site of the proposed action?  
   □ NO □ YES □ N/A  
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  
   □ NO □ YES □ N/A  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
   □ NO □ YES □ N/A  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    □ NO □ YES □ N/A  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    □ NO □ YES □ N/A  

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
    □ NO □ YES □ N/A  
    b. Is the proposed action located in an archeological sensitive area?  
    □ NO □ YES □ N/A  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    □ NO □ YES □ N/A  
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
    □ NO □ YES □ N/A  

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
   □ Shoreline □ Forest □ Agricultural/grasslands □ Early mid-successional  
   □ Wetland □ Urban □ Suburban  

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  
   □ NO □ YES □ N/A  

16. Is the project site located in the 100 year flood plain?  
   □ NO □ YES □ N/A  

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   If Yes,  
   a. Will storm water discharges flow to adjacent properties?  
    □ NO □ YES □ N/A  
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
    If Yes, briefly describe:  
    □ NO □ YES □ N/A
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
   If Yes, explain purpose and size:
   
   
   
   
   
   19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:
   
   
   
   
   
   20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:
   
   
   
   
   
   I affirm that the information provided above is true and accurate to the best of my knowledge.
   Applicant/sponsor name: Laura DeGaetano
   Date: June 20, 2019
   Signature: 

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>❑</td>
</tr>
<tr>
<td>Question</td>
<td>No, or small impact may occur</td>
<td>Moderate to large impact may occur</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------</td>
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</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

It has been determined that the adoption of Local Law NO. "D" For 2019 known as "The Albany County Reusable Shopping Bag Incentive Act" will not result in a significant adverse environmental impact. Given the intent to incentivize the use of reusable bags and reduce the amount of non-reusable bag waste there is expected to be a positive impact on the environment.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Albany County
Name of Lead Agency
Hon. Andrew Joyce
Print or Type Name of Responsible Officer in Lead Agency
Signature of Responsible Officer in Lead Agency

Date
Chairman
Title of Responsible Officer
Signature of Preparer (if different from Responsible Officer)
LOCAL LAW NO. "E" FOR 2019

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

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

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 the 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;

Price is a major factor impacting tobacco product initiation and cessation:
- The availability of inexpensive tobacco products leads to an increase in the number of smokers, particularly among younger populations;
- Lower priced cigars are among the products used as a substitute for cigarettes;
- Higher product prices lead to reduced smoking initiation among youth, reduced consumption among current tobacco users, and an increase in cessation with fewer relapses among former smokers.
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 Bill, 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.

PIPE TOBACCO means any tobacco which, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

PERCEPTIBLE means perceivable by the sense of taste or smell.

PREMIUM CIGAR means a cigar that weighs more than 6 pounds per 1,000 cigars, and is wrapped in whole tobacco leaf, and has a retail price (after any discounts or coupons) of no less than $10 per cigar.

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 Bill.

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.
SHISHA means any product made primarily of tobacco or other leaf, or any combination thereof, smoked or intended to be smoked in a hookah or water pipe.

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 Bill 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 Bill is nontransferable and non-assignable 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 prescribed 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 [Restricted] Prohibited

(A)(1) 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.

   Exceptions:
   i. The sale, offer for sale, or possession with intent to sell a Premium Cigar or Pipe Tobacco by a Tobacco Retailer that, as of July 8, 2019, operates as a retail tobacco businesses as defined by section 1399-n(7) of the public health law, does not permit entry to persons below age 21 years, and does not expand its size or change location on or after that date.
   ii. The sale, offer for sale, or possession with intent to sell Shisha by a Tobacco Retailer solely for on-premises consumption, provided the Tobacco Retailer does not permit entry to persons below age 21 years, has been offering Shisha for sale for on-
premises consumption since at least July 8, 2019, and has not expanded its size or changed location on or after that date.

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 Local Law [Bill] are declared to be severable, and if any section of this law [Bill] is held to be invalid, such invalidity shall not affect the other provisions of this law [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*
*Referred to Law and Health Committees – 7/8/19*
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

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

Section 1. Findings and Purpose

The Albany County Legislature finds and determines that:

Littered plastic products, including plastic straws, stirrers and plastic cutlery have caused and continue to cause significant environmental harm and have burdened local governments with significant environmental cleanup costs. Plastics synthesized from petroleum and natural gas do not biodegrade. Even with the emergence of bioplastics, which are derived from renewable biomass sources, such as plants and microorganisms, there is no certified type of bioplastic that biodegrades in a marine environment.

The Albany County Legislature prioritizes the protection of the environment and through public policymaking and adoption of local laws, intends to take the initiative to minimize the unnecessary use of plastic in our environment. A reduction in the use of plastic straws, stirrers, and plastic cutlery will further serve Albany County's goal of reducing plastic litter.

Section 2. Definitions

For the purposes of this ordinance, the following shall have the following meanings:

"Beverage Provider" means any business, organization, entity, group, or individual located in the any jurisdiction covered by the Local Law [name of jurisdiction] that offers liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption.

"Plastic Cutlery" means any utensil, such as a fork, spoon, spork, or knife, made predominantly of plastic derived from either petroleum or a biologically based polymer intended for only one-time use. "Plastic cutlery" includes compostable and biodegradable petroleum or biologically based polymer forms of cutlery, but does not include forms of cutlery that are made from non-plastic materials, such as wood, bamboo, etc.

"Plastic Beverage Straw" means a tube made predominantly of plastic derived from either petroleum or a biologically based polymer for transferring a beverage from its container to the mouth of the drinker. "Plastic Beverage Straw" includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from non-plastic materials, such as paper, grain stalks, bamboo, etc.

"Food service ware" means all containers, bowls, plates, trays, cups, lids, napkins, and other like items that are designed for one-time use for prepared foods, including, without limitation, service ware for takeout foods and/or leftovers from partially
consumed meals prepared by food vendors. The term “food service ware” does not include items composed of aluminum.

Section 3. Plastic Straws and Cutlery Upon Request
(a) All Albany County restaurants, including fast food restaurants, beverage providers, or vendors shall only offer plastic cutlery and straws, upon request.
(b) Nothing in this section precludes restaurants, including fast food restaurants, beverage providers, vendors, or persons from using or making non-plastic alternatives, such as those made from paper, grain stalks, sugar cane, or bamboo, available to beverage consumers.
(c) Nothing in this local law requires stores that offer a “self-service” station that includes straws, stirrers and plastic cutlery to additionally ask consumers if they request a straw or plastic item. “Self-service” areas, by definition offer consumers the ability to make their own choice about whether to use plastic items.

Section 4. Designated County Department for Compliance and Enforcement
The County Executive shall designate the appropriate County department that shall oversee implementation, compliance and adherence to this Local Law. This designated department shall have the responsibility to engage the restaurant and food service community affected by this local law for pre-implementation discussions about how best to collaboratively work together to successfully enact this Local Law. Included in this collaborative work, the County department charged with oversight and implementation shall provide, at a minimum, consistent signage and other implementation and public education tools aimed at ensuring successful adoption of this local law. In addition, this County department shall also have the authority to enforce this ordinance. Each day of violation, after written notice, is a separate violation. Violations will be subject to the following penalties:

First Offense: written warning
Second Offense: $100 penalty
Third and subsequent offense: $250 penalty

Section 5. Severability
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this ordinance. Such decision shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect.

Section 5. Effective Date
This ordinance shall take effect six months after the date of enactment.

Referred to Law and Conservation, Sustainability and Green Initiatives Committees - 5/13/19
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

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

Section 1. Findings and Purpose
The Albany County Legislature finds and determines that:

Littered plastic products, including plastic straws, stirrers and plastic cutlery have caused and continue to cause significant environmental harm and have burdened local governments with significant environmental cleanup costs. Plastics synthesized from petroleum and natural gas do not biodegrade. Even with the emergence of bioplastics, which are derived from renewable biomass sources, such as plants and microorganisms, there is no certified type of bioplastic that biodegrades in a marine environment.

The Albany County Legislature prioritizes the protection of the environment and through public policymaking and adoption of local laws, intends to take the initiative to minimize the unnecessary use of plastic in our environment. A reduction in the use of plastic straws, stirrers, and plastic cutlery will further serve Albany County’s goal of reducing plastic litter.

Section 2. Definitions
For the purposes of this ordinance, the following shall have the following meanings:

“Beverage Provider” means any business, organization, entity, group, or individual located in any jurisdiction covered by the Local Law that offers liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption.

“Plastic Cutlery” means any utensil, such as a fork, spoon, spork, or knife, made predominantly of plastic derived from either petroleum or a biologically based polymer intended for only one-time use. “Plastic cutlery” includes compostable and biodegradable petroleum or biologically based polymer forms of cutlery, but does not include forms of cutlery that are made from non-plastic materials, such as wood, bamboo, etc.

“Plastic Beverage Straw” means a tube made predominantly of plastic derived from either petroleum or a biologically based polymer for transferring a beverage from its container to the mouth of the drinker. “Plastic Beverage Straw” includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from non-plastic materials, such as paper, grain stalks, bamboo, etc.

“Food service ware” means all containers, bowls, plates, trays, cups, lids, napkins, and other like items that are designed for one-time use for prepared foods, including, without limitation, service ware for takeout foods and/or leftovers from partially consumed meals prepared by food vendors. The term “food service ware” does not include items composed of aluminum.
Section 3. Plastic Straws and Cutlery Upon Request

(a) All Albany County restaurants, including fast food restaurants, beverage providers, or vendors shall only offer plastic cutlery and straws, upon request.

(b) Nothing in this section precludes restaurants, including fast food restaurants, beverage providers, vendors, or persons from using or making non-plastic alternatives, such as those made from paper, grain stalks, sugar cane, or bamboo, available to beverage consumers.

(c) Nothing in this local law requires stores that offer a “self-service” station that includes straws, stirrers and plastic cutlery to additionally ask consumers if they request a straw or plastic item. “Self-service” areas, by definition offer consumers the ability to make their own choice about whether to use plastic items.

Section 4. Designated County Department for Compliance and Enforcement

The County Executive shall designate the appropriate County department that shall oversee implementation, compliance and adherence to this Local Law. This designated department shall have the the responsibility to engage the restaurant and food service community affected by this local law for pre-implementation discussions about how best to collaboratively work together to successfully enact this Local Law. Included in this collaborative work, the County department charged with oversight and implementation shall provide, at a minimum, consistent signage and other implementation and public education tools aimed at ensuring successful adoption of this local law. In addition, this County department shall also have the authority to enforce this ordinance. Each day of violation, after written notice, is a separate violation. Violations will be subject to the following penalties:

First Offense: written warning
Second Offense: $100 penalty
Third and subsequent offense: $250 penalty

Section 5. Severability

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this ordinance. Such decision shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect.

Section 5. Effective Date

This ordinance shall take effect six months after the date of enactment.

Referred to Law and Conservation, Sustainability and Green Initiatives Committees - 5/13/19
LOCAL LAW NO. "G" FOR 2019

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 2 FOR 2018 REGARDING THE SUSTAINABLE ENERGY LOAN PROGRAM

Introduced: 8/12/19
By Messrs. Touchette, A. Joyce, Feeney, Bullock, Clay, Commissio, Domalewicz, Ethier, Fein, Frainier, Ms. Lekakis, Mr. Mayo, Ms. McKnight, Messrs. Miller, Reinhardt, Simpson, Ward and Ms. Willingham:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Local Law No. 5 for 2016, as amended by Local Law No. 2 for 2018, shall be known as the "Energize NY Open C-PACE Financing Program" and shall be amended in its entirety to read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority.

A. It is the policy of both the Municipality and the State of New York (the "State") to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, "EIC"), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the "Municipal Agreement") to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the "Enabling Act").

B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.

C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the "Energize NY Open C-PACE Local Law".

§2. Definitions
A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.

B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement.

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.
Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the County of Albany, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal
Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.

B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.

C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;

B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;

C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
D. The property owner is current in payments on any existing mortgage on the Qualified Property;
E. The property owner is current in payments on any real property taxes on the Qualified Property; and
F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).

B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.

C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.

D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.

B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing
Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.

C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefitted Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.

B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefitted Property in the same manner as levies for municipal charges, shall become a lien on the Benefitted Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefitted Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.

D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefitted Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefitted Property and shall be collected by EIC,
on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.

E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.

F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

Referred to Law Committee – 8/12/19
LOCAL LAW NO. "H" FOR 2019

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW 8 FOR 2011 TO MODIFY THE PROCEDURES FOR IDENTIFYING INDIVIDUALS REQUIRED TO FILL OUT FINANCIAL DISCLOSURE FORMS

Introduced: 8/12/19
By Mr. A. Joyce and Ms. Plotsky:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Local Law No. 8 for 2011, entitled “A Local Law of the County of Albany, New York Establishing a New Code of Ethics and Financial Disclosure Law for Officials and Employees of Albany County Government” is amended as follows:

SECTION 1.

Section 11(1) of Local Law No. 8 for 2011 is amended to read as follows:

SECTION 11. Annual Disclosure

1. Officers and employees required to file an annual financial disclosure statement.

(a) In January of each year, the Commissioner of Human Resources shall provide the Ethics Commission with a list of recommended titles, names, offices, and positions of all County officers and employees who are required, pursuant to this local law, to file an annual disclosure statement for the prior year.

(b) As soon as possible after the receipt of such list, the Ethics Commission shall review and adopt, subject to modification, the list of the titles, names, offices, and positions of all County officers and employees who are required, pursuant to this local law, to file an annual disclosure statements for the prior year (“Annual FDS Filer List”).

(c) On or before March 1 of each year, the Ethics Commission shall file the Annual FDS Filer List with the County Clerk and Chairman of the Legislature for recording and distribution to the various agencies, departments, boards, commissions, and offices of the County, including the Board of Elections.
(d) The Board of Elections shall take reasonable measures to attempt to identify and notify candidates for elected County office who are required to file an annual disclosure statement for the prior year pursuant to this local law.

(e) On or before May 15 of each year, the persons identified in the Annual FDS Filer List and any qualified candidates for office shall notarize and submit the annual financial disclosure statement to the Clerk of the Legislature.

SECTION 2.

Section 12(1)(a) of Local Law 8 for 2011 is amended to read as follows:

(a) Where a person requests the County or a County officer or employee to take or refrain from taking any action (other than a ministerial act) that may result in a financial benefit both to the requestor and to either any officer or employee of the County or any other person identified in the Annual FDS Filer List, the requestor shall disclose the names of any such persons, to the extent known to the requestor at the time of the request.

SECTION 3.

Appendix A of Local Law 8 for 2011 is deleted in its entirety.

SECTION 4.

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

_Referred to Law Committee – 8/12/19_
MEMORANDUM

To: Paul Devane, Clerk of the Legislature

From: Peter-Daniel Apostol, Assistant County Attorney

Date: July 26, 2019

Re: Proposed Changes to Local Law No. 8 for 2011

At a recent meeting of the Ethics Commission the members of the Commission, in reviewing ways to improve the efficiency of the process for determining which members of Albany County Government were required to file an annual disclosure form each year, voted unanimously to recommend, pursuant to Local Law 8 for 2011 Section Eighteen (18) Section Five (5) Subsection Three (3) Paragraph (j), a change to Section 11 of Local Law no. 8 for 2011. The Commission determined that the current mechanism in Local Law 8 for 2011 Section Eighteen (18) Section Five (5) Subsection Three (3) Paragraph (c) created an outdated list of required filers, making the process inefficient to achieve the goals of the Local Law. The Commission drafted a proposed modification that would allow the Commission to adroitly address these changes in County government positions and personnel on an annual basis to ensure that all members of Albany County Government who are required to file an Annual Disclosure Form in accordance
with the Local Law will do so. This change is being recommended independent of any other change or changes to the Local Law.
LOCAL LAW “F” FOR 2018

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING LOCAL LAW NO. 8 FOR 2011 AS SUBSEQUENTLY AMENDED TO IMPLEMENT AN ANTI-NEPOTISM POLICY

Introduced: 3/12/18
By: Mr. Drake

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

Local Law No. 8 for 2011 is amended as follows:

Section 1. Section 5 of Local Law No. 8 for 2011, entitled “Code of Ethics for County Officers and Employees” is amended to read as follows:


(a) Notwithstanding the exceptions in article (b) of this subsection, Relatives of elected County officials are prohibited from being hired or appointed for any paid position that qualifies as a Policy Making Official or High-Ranking County Position, or for any position indicated in Appendix A. Nothing in this section shall be construed to prevent the appointment of Relatives of elected County officials who voluntarily serve on County boards, commissions, and advisory councils with no compensation.

(b) Should a supervisory official seek to hire an individual who is barred from County employment per article (a) of this subsection, the following criteria must be met first:

(i) The supervisory official, in conjunction with the County Executive, shall [request an advisory opinion per this local law regarding employment of said individual from the Ethics Commission.] send a written request for appointment to the Personnel Committee of the Legislature which shall include any potential conflicts of interest, any appearances of impropriety, the explanations for any conflicts of interest and/or appearances of impropriety, and will demonstrate said candidate’s qualifications for the position.

[(ii) The Ethics Commission shall issue an opinion and recommended course of action and forward it to the personnel committee of the Legislature. The opinion should include, but not be limited to, potential conflicts of interest and appearances of impropriety. The Ethics Commission may inquire about the other candidates for the position in question and require that said candidates' resumes be provided.]
(ii) Only after the Ethics Commission has issued its opinion shall said individual appear before the Personnel Committee of the County Legislature to be questioned regarding background, education, experience, work history, or any other inquiry deemed relevant by a member of the Legislature. The Personnel Committee may inquire about other candidates for the position in question and require said candidates’ resumes to be provided.

(iii) The personnel committee of the County Legislature may at their discretion then choose to refer said appointment to the whole Legislature for a vote [if, and only if, the Ethics Commission has rendered a positive opinion of said appointment]. The final vote by the full Legislature shall be taken by long roll call with a simple majority of legislators in the body necessary for passage.

The former subsection “10” in Section 5 shall be re-designated as subsection “11”, and all subsequent subsections shall be re-numbered accordingly.

Section 2. Applicability and Effective Date

This local law shall take effect immediately and shall not apply retroactively. Individuals who were hired by the County of Albany on or before the effective date of this local law shall not be impacted.

[Pursuant to Sections 23 and 33 of the Municipal Home Rule Law, this local law, which curtails the powers of Albany County elective officers, shall be subject to a mandatory referendum. 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 general or special election occurring not less than sixty days after the adoption of this local law.]
August 5, 2019

Hon. Andrew Joyce  
Albany County Legislature  
112 State Street, Room 710  
Albany, New York 12207

Re: Request for Legislative Action

Dear Chairman Joyce:

The Albany County Department for Aging is requesting Legislative authorization to enter into a Memorandum of Understanding with the Center for Women in Government and Civil Society regarding the completion of the ACDFA Needs Assessment Survey.

ACDFA is developing a new four-year plan for the 2020-2014 period. Each four-year plan must include a Service Needs Assessment. The needs assessment will determine the extent of need for supportive services, nutrition services, and multipurpose senior centers. It is a Federal requirement that the needs assessment and resource inventory be completed to determine priorities, targeting efforts and funding for the next four year planning cycle. The MOU with the Center for Women in Government and Civil Society will allow them to conduct the needs assessment and assess the conditions of older adults in Albany County, which limit their ability to remain in or return to their homes and to participate in family and community life. They will quantify the current service needs and specific needs reflecting the unique needs of groups with common ethnic, age, geographic health and economic characteristics.

Thank you in advance for your consideration of this request and please feel free to contact our office with any questions.

Respectfully,

Deborah C. Riitano  
Commissioner

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

Description (e.g., Contract Authorization for Information Services):
Legislative authorization to enter into a Memorandum of Understanding with the Center for Women in Government & Civil Society to assess the needs of the older adults 80 years and older in Albany County.

Date: August 5, 2019
Submitted By: Patrick Dillon
Department: Aging
Title: Contract Administrator
Phone: 518 447 7733
Department Rep.
Attending Meeting: Deborah C. Riitano, Commissioner

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item:
Submission Date Deadline: Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Center for Women in Government and Civil Society

Additional Parties (Names/addresses):
Rockefeller College of Public Affairs & Policy
University at Albany
State University of New York

Amount/Raise Schedule/Fee: $29,996.00
Scope of Services: The needs assessment will determine the extent of need for supportive services, nutrition services, and multipurpose senior centers.

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

CONCERNING ALL REQUESTS

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

County Budget Accounts:
Revenue Account and Line: Fee For Service - Albany County
Revenue Amount: $29,996.00

Appropriation Account and Line: A96772
Appropriation Amount: $29,996.00

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

Term
Term: (Start and end date) 6/1/2019 - 12/31/2019
Length of Contract: 7 months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: NA
Date of Adoption: NA

Justification: (state briefly why legislative action is requested)
ACDFA is developing a new four-year plan for the 2020-2024 period. Each four-year plan must include a Service Needs Assessment. The needs assessment will determine the extent of need for supportive services, nutrition services, and multipurpose senior centers. It is a Federal requirement that the needs assessment and resource inventory be completed to determine priorities, targeting efforts and funding for the next four year planning cycle. The MOU with the Center for Women in Government and Civil Society will allow them to conduct the needs assessment and assess the conditions of older adults in Albany County, which limit their ability to remain in or return to their homes and to participate in family and community life. They will quantify the current service needs and specific needs reflecting the unique needs of groups with common ethnic, age, geographic health and economic characteristics.
Honorble Deb Riliano  
Commissioner  
Department for Aging  
Albany County  
162 Washington Avenue  
Albany, NY 12210

July 22, 2019

RE: 2019 COMMUNITY NEEDS ASSESSMENT SURVEY

Dear Commissioner Rilatio:

On behalf of the Center for Women in Government & Civil Society, we are pleased to provide research services to the Department for Aging to assess the needs of the elderly community in the Capital Region. We summarize below project goal, objectives, design, methodology, activities, timeline and terms of our agreement. Should you have any questions, please feel free to contact us at 518.442.5127 and at drefki@albany.edu. Meanwhile, thank you very much for your time and consideration.

Study Goal
- Study the needs of the elderly community in the Capital Region.

Study Objectives
- Survey the elderly population in Albany County and provide analysis of needs;
- Analyze data from other Capital Region Counties of Rensselaer, Schenectady and Saratoga; and
- Provide a regional portrait of the needs of the elderly community.

Study Design and Methodology
1. Albany County Data Collection and Analysis
   - The Center for Women in Government & Civil Society will use a list of elderly populations in Albany County to survey the needs of this population. We will also use an instrument provided by the Department for Aging for collection of the data.
   - We will select a systematic random sample from the list of elderly residents which will comprise 10% (5,600) of the total list.
   - Wave 1: We will mail surveys to the study sample. Ten days will be provided as deadline for returning completed surveys. A self-addressed stamped envelope will be provided so participants can mail back completed surveys to the center.
   - After the first wave of completed surveys arrive to the Center, data will be entered into Excel spreadsheets.
   - Wave 2: Another 10% of the list will be selected randomly and will receive mailed copies of the questionnaire with a self-addressed stamped envelope. Ten days will be provided to return completed surveys.
   - Wave 3. We will work with Senior Citizens Centers to organize survey completion days. We will meet with residents who wish to complete the survey and assist in survey completion at those centers. The language line will be used for Limited English speakers/readers to assist in survey completion.
   - A report will document the findings of the Albany County study.
2. **Analysis of Data from other Capital Region Counties**
   - We will share a formatted template for data collection with Commissioner Rilitano to share with the Counties of Schenectady, Rensselaer and Saratoga.
   - Commissioner Rilitano will email data collected by other counties to the Center.
   - We will conduct analyses for each County and develop a separate report for each County.
   - A report will document analyses of regional conditions.

The cost of conducting the study is $29,995.45.

**Contact Information**

Dr. Dina Refki  
Executive Director  
Center for Women in Government & Civil Society  
Rockefeller College of Public Affairs & Policy  
University at Albany  
State University of New York  
(W) 518.442.5127  
(C) 518.687.3334  
DRefki@albany.edu  
www.albany.edu/womeningov/
August 2, 2019

The Honorable Andrew Joyce  
Chairman, Albany County Legislature  
Legislative Clerk’s Office  
112 State Street, Suite 710  
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to amend the Point Click Care contract to include the integration and implementation of our Medication Administration System. This will allow all medications through our vendor pharmacy to be electronically uploaded into the Resident Medical Record.

The cost of this software upgrade will be $44,015.00 through the end date of the Point Click Care contract, which is November 30, 2022.

We respectfully request approval to amend the Point Click Care contract.

Sincerely,

Larry I. Slatky  
Executive Director

cc:  Dennis Feeney, Majority Leader  
Frank Mauriello, Minority Leader  
Kevin Cannizzaro, Majority Counsel  
Arsis Zilgme, Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Pharmacy EMR Integration with Point Click Care and Education Services

Date: August 1, 2019
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-869-2231
Department Rep.: Larry I. Slatky
Attending Meeting:

Purpose of Request:

☐ Adopting of Local Law
☒ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Point Click Care Technologies, Inc.
5570 Explorer Drive
Mississauga ON L4W 0C4
Canada

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $44,015.00
Scope of Services:
Point Click Care will integrate and implement a full electronic medication administration record and pharmacy system into our medical record software. This will include configuration consulting, super user and end user training, project management, prescribing for controlled substances, discharge orders, post go live support and import of Chem Rx/Pharma data.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: ☒ No ☐
If Mandated Cite Authority: New York State Department of Health

Is there a Fiscal impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

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

Appropriation Account and Line: NH6020 44069
Appropriation Amount: $44,015.00

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

Term:
Term: (Start and end date) 9/1/2019 through 11/30/2022
Length of Contract: 39 months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 403
Date of Adoption: 10/10/2017

Justification: (state briefly why legislative action is requested)
Shaker Place Rehabilitation and Nursing Center has an existing contract with Point Click Care for our electronic medical record. As part of NYSDOH regulations and HIXNY requirements we are required integrate our medication system with the electronic medical record. This upgrade to our Point Click Care software will satisfy this requirement.
RESOLUTION NO. 403

AUTHORIZING AN AGREEMENT WITH POINT CLICK CARE TECHNOLOGIES, INC. REGARDING ELECTRONIC MEDICAL RECORDS AND FINANCIAL SOFTWARE

Introduced: 10/10/17
By Social Services Committee:

WHEREAS, The Department of Residential Health Care Facilities through the Purchasing Agent issued a Request for Proposals regarding the purchase of an Electronic Medical Records and Financial Software System including the necessary training for Nursing Home staff and onsite supervision, three proposals were received and a committee of Nursing Home staff, Management and Budget, and the Information Services departments reviewed said proposals and recommended awarding the contract to Point Click Care Technologies, Inc. as the preferred vendor, and,

WHEREAS, The Director of the Department of Residential Health Care Facilities has proposed to enter into a five-year agreement with Point Click Care Technologies, Inc. in an amount not to exceed $425,000 regarding the purchase of an electronic medical records and financial software system for the Nursing Home, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a five-year agreement with the Point Click Care Technologies, Inc. in an amount not to exceed $425,000 for a term commencing December 1, 2017 and ending November 30, 2022 regarding the purchase of an Electronic Medical Records and Financial Software System and necessary training and onsite supervision for Nursing Home staff, 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.

Adopted by unanimous vote. 10/10/17
August 2, 2019

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to contract with Arjo Inc. to purchase and deliver lifters, transfer equipment, supplies and the training for the new equipment that will be utilized by our staff.

The cost of this equipment will be $207,947.00 and will be funded through Bond HNN8. Arjo is a State contract participating member through Premiere Healthcare Alliance, #PP-MM-655.

We respectfully request approval to purchase this equipment, supplies and the Arjo education program.

Thank you for your cooperation.

Sincerely,

Larry I. Slatky
Executive Director

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

Description (e.g., Contract Authorization for Information Services):

Purchase of Resident Lifters, Transfer Equipment, Supplies and Educational Services

Date: July 31, 2019
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-869-2231
Department Rep.: Larry I. Slatky
Attending Meeting: Larry I. Slatky

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Arjo, Inc.
2349 West Lake Street
Addison, Illinois 60101

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Increase Schedule/Fee:
$207,947.00
Scope of Services:
To purchase and deliver lifters, transfer equipment, supplies and training for new equipment. See Attachment

Bond Res. No.: 136
Date of Adoption: 4/12/17

CONCERNING ALL REQUESTS

Mandated Program/Service:
Yes ☒ No ☐
If Mandated Cite Authority:
NYSDOH
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:
Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.
Appropriation Account and Line: NH6020 HNN8
Appropriation Amount: $207,947.00

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

Term
Term: (Start and end date) 9/1/2019 through 8/31/2020
Length of Contract: 12 months

Impact on Pending Litigation
Yes ☐ No ☒

Previous requests for Identical or Similar Action:
Resolution/Law Number: No
Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)
Shaker Place Rehabilitation and Nursing Center will be expanding its resident care services with the renovation and additions project. This will require additional lifting equipment and the education of staff to ensure the proper use of this lifter equipment and resident care. This purchase is off State Contract/Premier Healthcare Alliance: PP-MM-655.
## Albany County Nursing Home
### Investment Summary

<table>
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<tr>
<th>Qty</th>
<th>Item</th>
<th>Description</th>
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**Sub-Total:** $140,091.12

**Shipping:** $3,900.00

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**Equipment Sub-Total:** $143,991.12

**Performance Assurance Service Plan 3 years:** $37,090.00

**12 Month Clinical Program Support:** $26,875.00

**Program Total:** $207,946.12
**Diligent Clinical Consulting Services:**
Albany County Nursing Home

**Consultant Clinical services- Support Option**
Includes:
- Program Implementation and oversight (policies, procedures, guidance)
- Clinical presentations to Executive team and Department leadership
- General Staff Training in designated areas
- Transfer Mobility Coach and Rehab Coach programs
- Program materials

| Program Implementation | 4.0 | Clinical Consultant support days during implementation and training includes:
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<tr>
<td></td>
<td>0.5</td>
<td>- Clinical days Process mapping</td>
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<td>2.0</td>
<td>- Clinical days for General Staff Training</td>
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<td></td>
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<td>- Clinical support days during &quot;Go Live&quot; period</td>
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<th>Extended Total</th>
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<td>4.0 Clinical hours</td>
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<td>4.0 Clinical hours</td>
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<tr>
<td>16.0 Clinical hours</td>
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<td>8.0 Clinical hours</td>
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**Mobility is Life Education Series**

**Phase 1 - During Implementation**

**TMC Training program**

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<th>Consultant days for 4 hour Key Coach Education program</th>
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<tr>
<td></td>
<td></td>
<td>- Includes materials</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- There is one clinical consultant per class</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- TMC development program is for up to 15 participants per class allowing for:</td>
</tr>
</tbody>
</table>

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<th></th>
<th>8.0</th>
<th>Clinical hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30</td>
<td>TMCs</td>
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</table>

**Ongoing Clinical Consultant Support**

<table>
<thead>
<tr>
<th></th>
<th>14</th>
<th>Days onsite 4 hour clinical support visits over 12 month program timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Hours of consultant phone support and research over support period</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>56.0</th>
<th>Clinical hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0</td>
<td>Clinical hours</td>
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</tbody>
</table>

| 12 month program Services Subtotal: | $26,875.00 |
August 2, 2019

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk’s Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to utilize Retirement Home TV to provide and install a customized high definition satellite television reception system.

Retirement Home TV was the lowest responsible bidder (RFB 2019-076) for this service. This will be a five (5) year agreement at a cost not to exceed $124,986.00

We respectfully request approval of this contract.

Sincerely,

Larry I. Slatky
Executive Director

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

Description (e.g., Contract Authorization for Information Services):
Resident Television Programming Services to Install Direct TV Satellite System

Date: July 31, 2019
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-869-2231
Department Rep.: Larry I. Slatky
Attending Meeting: 

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☒ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant
Choose an item.
Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☒ Other: (state if not listed) Satellite Service

Contract Terms/Conditions:

Party (Name/address):
Retirement Home TV
4604 Arden Drive
Fort Wayne, Indiana 46804

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $124,986.00
Scope of Services: To provide and install a customized high definition satellite television reception system, including satellite services, with dish antenna, heater, high definition system tested and tuned, with five year major component warranty.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: NYSDOH
Is there a Fiscal impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

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

Appropriation Account and Line: NH 6020 44069
Appropriation Amount: $124,986.00

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

Term
Term: (Start and end date) 10/1/2019 through 9/30/2024
Length of Contract: 60 months

Impact on Pending Litigation
If yes, explain: Yes ☐ No ☒

Previous requests for Identical or Similar Action:
Resolution/Law Number: No
Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)
As part of our renovation and additions project Shaker Place Rehabilitation and Nursing Center will be providing televisions in all resident rooms and common areas. These televisions will require connectivity to a satellite system to operate. Retirement Home TV was the lowest responsible bidder through the RFB process. RFB 2019-076. It should be noted that the contract request amount is higher than the bid, since there were additions needed for this purchase. Both bidders were notified of the change and submitted revisions to their bid. This revision to the RFB was approved by our purchasing department.
MEMORANDUM

TO: Larry Slatky  
Albany County Residential Health Care Facility

FROM: Karen Storm  
Purchasing Agent

DATE: June 24, 2019

RE: RFB # 2019-076, Resident Television Programming Services

I am in receipt of your recommendation to award the aforementioned Request for Bids to RetirementHomeTV in the amount of $124,985.40.

As RetirementHomeTV is the low responsive and responsible bidder, I concur with your recommendation.

Please obtain the necessary contract approval of the County Legislature, so that we may issue a Notice of Award to the successful bidder.
From: Kurt Schlabach <Kurt@retirementhometv.com>
Sent: Tuesday, June 18, 2019 1:15 PM
To: Cronin, Kayla <Kayla.Cronin@albanycountyny.gov>
Subject: RE: RFB-2019-076 Clarification Questions from Albany County Residential Health Care Facility

1. A Community Channel may be added to the proposed channel line-up for only $33/month or $396/yr. It has a built-in DVD drive that allows broadcast on the same channel and comes with the following Powerpoint presentation included for your modification:

   CLICK HERE: https://retirementhometv.com/community-channel

2. You can modify any of the channels to any other channel provided by DirecTV, thru us, at no cost. Some of the channels themselves, especially Sports channels, carry an additional monthly cost from DirecTV that is passed on to Albany Nursing. An example: GOLF Channel, if swapped with a current channel, adds $2.7/unit/mo. to the billing.
From: Cronin, Kayla [mailto:Kayla.Cronin@albanycountyny.gov]
Sent: Tuesday, June 18, 2019 12:16 PM
To: Kurt Schlabach <Kurt@retirementhome.tv>
Subject: RFB-2019-076 Clarification Questions from Albany County Residential Health Care Facility
Importance: High

Good afternoon Kurt,

The Albany County Residential Health Care Facility has the following questions:

-Is there a community channel included? Basically to put up the menu and activities going on.
-can we play a DVD to all TV's on a certain channel?
-can we change the station programming to a different one and is there a charge for it?

Please submit your answers to me in writing.

Thank you!

Kayla Cronin
Specification Technician
Albany County Division of Purchasing
112 State Street, Room 820
Albany, NY 12207
tel 518.447.5585
fax 518.447.5588
kayla.cronin@albanycountyny.gov
www.albanycounty.com

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Brandon Russell, Majority Counsel
Albany County Legislature
112 State Street, Rm. 700
Albany, N.Y. 12207

Arnis Zilgme, Minority Counsel
Albany County Legislature
112 State Street, Rm. 1360
Albany, N.Y. 12207

Dear Sirs:

I am requesting legislative action to further the mission of the Office of the Albany County District Attorney. The attached resolution seeks permission to:

- Accept funding from Governor's Traffic Safety Highway Safety Program; and
- Apply and amend our budget to accept funding from NYS OVS for the Crime Victim Assistance Grant.

Attached is the request for legislative action and supporting documents. If you have any questions, please feel free to contact me at 275-4706.

Thank you for your assistance.

Sincerely,

P. David Soares
Albany County District Attorney
REQUEST FOR LEGISLATIVE ACTION

DATE: July 8, 2019

DEPARTMENT: Office of the District Attorney
Contact Person: Heather Orth
Telephone: 275 4704
Dept. Representative Attending
Committee Meeting: District Attorney David Soares and/or Heather Orth

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

Permission to submit an application and receive funds from the New York State’s Highway Safety Program

CONCERNING CONTRACT AUTHORIZATION (Cont’d)
STATE THE FOLLOWING:

Contract Terms/Conditions:
Party (Name/Address):
   New York State Governor’s Traffic Safety Committee
   6 Empire State Plaza, Room 410B
   Albany, NY 12228
Amount/Rate Schedule/Fee:
   $131,650

Scope of Services: The funds will be used to reduce the number of crashes, injuries and deaths on New York’s Roads.

Contract Funding:
Anticipated in Current Budget: Yes ___ No __
Funding Source: ___ Federal Funds

CONCERNING ALL REQUESTS:
Mandated Program/Service: Yes ___ No __
If Mandated Cite: Authority
Anticipated in Current Adopted Budget: Yes __ No __
June 12, 2019

Heather Orth
Chief of Staff
Albany County District Attorney
6 Lodge St
Albany, NY 12207-2111

Re: HS1-2020-Albany Cty DA-00128-(001)
Albany County Traffic Safety Resource Prosecutor
DMV01-C002457-3700393
CFDA #: 20.616
EFFECTIVE DATE: October 1, 2019

Dear Chief of Staff Heather Orth:

On behalf of the Governor’s Traffic Safety Committee, I am pleased to notify you that the Albany County District Attorney has been awarded $131,650 to participate in New York State’s Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York’s roads.

The three contracts enclosed must be signed by an authorized representative for the County, City, Town or Village, and notarized, then returned to our office. Once the contract has been signed by the New York State Governor’s Traffic Safety Committee, one contract will be returned to you for your records. Contracts will be effective only upon final approval by the New York State Office of the State Comptroller.

Please note, contracts are with the County, City, Town or Village, not your specific agency. An authorized representative who has legal authority to sign contracts may not be the project director. Please ensure that a legal signatory of your municipality or organization signs the contracts. For municipalities, this will likely be someone from the City, County, Town or Village.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested. Crucial documents regarding your grant, the claims process, equipment, and other grant related topics can be found by visiting http://safety.ny.gov/currentgrantees.htm.

Thank you for participating in New York State’s Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor’s Traffic Safety Committee at (518) 474-5111.

Sincerely,

Charles R. DeWeese
Assistant Commissioner

CRD:bp
cc: Cecilia Walsh
August 1, 2019

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

I request the Legislature’s approval to be allowed to accept the NYS DCJS STOP Violence against Women Act (VAWA) grant for the final one year extension which will allow the Albany County Crime Victim and Sexual Violence Center, in coordination with the District Attorney’s Office and the Sheriff’s Department, to enter into a grant with the New York State Division of Criminal Justice Services. This grant will provide funding from January 1, 2020 through December 31, 2020 in the amount of $66,750. The letter from NYS DCJS is attached and provides additional information. In addition, an MOU between our office, the District Attorney, and Sheriff needs to accompany the application.

I appreciate your consideration this matter.

Sincerely,

Crimevictim1010
Karen Ziegler

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Kevin Cannizzaro, Esq., Majority Counsel
Arnis Zilmge, Esq. Minority Counsel
ContraREQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract with NYS DCJS for STOP (Services • Training • Officers • Prosecutors) Violence against Women (VAWA) grant funding

Date: 8/1/2019
Submitted By: Karen Ziegler
Department: Crime Victim and Sexual Violence Center
Title: Director
Phone: 518-447-7100

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☒ Other: (state if not listed) Memorandum of Understanding with CVSVC, the District Attorney’s Office and the Sheriff’s Department

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☒ Grant
    Renewal
    Submission Date Deadline 10/1/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
NYS Division of Criminal Justice Services
AE Smith Building
80 South Swan Street
Albany, NY 12210

Additional Parties (Names(addresses)):
Click or tap here to enter text.

Amount/Raise Schedule/fee: $66,750
Scope of Services: To continue to provide a coordinated community response team to victims of domestic violence, sexual assault, dating violence, and stalking. The team is comprised of a prosecutor, investigator and three victim advocates who provide services to victims. Additionally, CVSVc will provide coordination for the Albany County Sexual Assault Resource Team (SART) as well as coordination with the Albany County Correctional Facility around the Prison Rape Elimination Act (PREA) and required services.

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

Mandated Program/Service: Yes □ No ☒
If Mandated Cité Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes □ No ☒
Anticipated in Current Budget: Yes ☒ No □

County Budget Accounts:
Revenue Account and Line: A4610 03497
Revenue Amount: $66,750.00

Appropriation Account and Line: A4610 03497; A1165 03497; A3110 03497
Appropriation Amount: 41000; 24750; 1000

Source of Funding - (Percentages)
Federal: 75
State: Click or tap here to enter text.
County: 25
Local: Click or tap here to enter text.

Term
Term: (Start and end date) 12 months
Length of Contract: 1/1/2020 - 12/31/2020

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 350
Date of Adoption: 8/13/2018

Justification: (state briefly why legislative action is requested)
The funds for this 12 month grant contract are used to pay for part of the salaries of an Assistant District Attorney, an Investigator, and three victim advocates who are part of the Albany County Domestic Violence Team. It also pays part of the salaries of the CSVVC Director to coordinate the Albany County Sexual Assault Resource Team (SART) and, with a staff member at the Albany County Correctional Facility (ACCF), Prison Rape Elimination Act (PREA) services at ACCF. An MOU between the three agencies is required for the program.
Dear DCJS STOP VAWA Grantee,

Please be advised that DCJS will not be issuing a competitive Request for Proposals (RFP) in 2019 for the 2020 STOP VAWA Awards. Instead, your current VAWA funded contract(s), ending December 31, 2019, will be extended for one (1) additional year of funding for the term January 1, 2020 through December 31, 2020. The annual funding amount will remain the same as provided in your current contract. Please also note that DCJS will be issuing a competitive Request for Proposals (RFP) in the summer of 2020 for contracts starting January 1, 2021.

Within the next several weeks, DCJS will send you an email notification of the contract extension described above, along with instructions to complete development of your 2020 contract. Timely submission of all materials requested at that time will facilitate timely execution of your 2020 contract.

We look forward to continuing to work with your program(s). Should you have any questions, please contact your DCJS Public Safety Grants Representative or Kyesha Pulliam, VAWA/Victim Services Unit Secretary with the DCJS Office of Program Development and Funding (OPDF), by email at dcjsVAWA@dcjs.ny.gov or phone at (518) 485-9905.

Thank you for all you do to help serve survivors in New York State.

Kyesha Pulliam
Secretary 1
Office of Program Development and Funding

New York State Division of Criminal Justice Services
80 South Swan St., Albany, NY 12210
(518) 485-9905 – Office | kyesha.pulliam@dcjs.ny.gov

www.criminaljustice.ny.gov
Memorandum of Understanding

We the undersigned are submitting a Memorandum of Understanding as a collaborative effort. We are committed to the Albany County STOP Violence Against Women Project to support our efforts to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and strengthen victim services in cases involving violent crimes against women.

- The Coordinated Community Response to Domestic Violence Team provides victim advocacy, specialized prosecution, consultation and investigation of incidents of sexual assault, domestic violence, and stalking throughout Albany County.

- The Albany County District Attorney’s Office will prosecute all Felony and Misdemeanor level domestic violence and sexual assault cases as well as stalking cases. The District Attorney will provide an Assistant District Attorney who will “bridge” cases between Albany Police Court and County Court, a victim witness specialist to serve victims as their advocate in County Court, and an investigator to support the investigation of domestic violence and sexual assault cases in Albany County.

- The Albany County Sheriff’s Office will support the coordination of PREA services in Albany County by providing support, communication and information between the Albany County Correctional Facility and the Albany County Crime Victim and Sexual Violence Center.

- The Albany County Crime Victim and Sexual Violence Center will provide two crime victim caseworkers who will serve victims as their advocates in Albany Police Court and other local courts. The Director will facilitate the coordinated community response to sexual assault through the Albany County Sexual Assault Response Team (SART) and through Prison Rape Elimination Act (PREA) efforts at the Albany County Correctional Facility.

David Soares  Craig D. Apple, Sr.  Karen Ziegler
District Attorney  Sheriff  Director
August 14, 2019

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

Re: Overtime Budget Amendment

Dear Chairman Joyce:

Albany County Probation has the opportunity to receive additional funding from the Albany County Sheriff Stop DWI Enforcement Program. This funding would be to provide Interlock Enforcement at the Albany County Victim Impact Panels up to four times per year. Probation Officers would assist the Sheriff Department in Interlock requirements for Probationers who must attend. It is projected the Probation Department may receive up to $7,200 per year.

It is respectfully requested this be considered. If you have any questions or need additional information, please do not hesitate to contact me directly at (518) 487-5194.

Sincerely,

William Connors
Probation Director

WC/km

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

Description (e.g., Contract Authorization for Information Services):

Budget modification to accept supplement overtime for Probation Staff

Date: August 14, 2019
Submitted By: William Connors
Department: Probation
Title: Director
Phone: 518-487-5194
Department Rep.
Attending Meeting: William Connors

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☒ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Albany County Sheriff
STOP-DWI PROGRAM
58 Verda Ave, PO Box A
Clarksville, NY 12041

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $7,200.
Scope of Services: Probation Staff assist Albany County Sheriff Department at Albany
County Crime Victim Impact Meetings providing Interlock enforcement to Probationers who must attend.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: No ☐ Yes ☒

County Budget Accounts:
Revenue Account and Line: A93140.19902
Revenue Amount: $7,200.

Appropriation Account and Line: A13140.01726
Appropriation Amount: $7,200.

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

Term
Term: (Start and end date): Click or tap here to enter text.
Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation
If yes, explain: Yes ☐ No ☒

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

Justification: (state briefly why legislative action is requested)
Requesting permission to accept supplemental overtime from the Albany County Sheriff, STOP-DWI PROGRAM. This overtime will allow Probation Staff to assist the Albany County Sheriff Department, in the enforcement of DWI Interlock mandates on Probationers who are required to attend the Albany County Victim Impact Program.
### Appropriations

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<tr>
<th>ACCOUNT NO.</th>
<th>RESOLUTION DESCRIPTION</th>
<th>INCREASE</th>
<th>DECREASE</th>
<th>UNIT COST</th>
<th>DEPARTMENT NAME</th>
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<td>A93140.19902</td>
<td>Supplemental Overtime</td>
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<td>Probation</td>
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**Total Appropriations**

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### Estimated Revenues

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<tr>
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<td>Grant Related Overtime</td>
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<td>Probation</td>
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**Total Estimated Revenues**

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<td></td>
<td></td>
<td>7,200.00</td>
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**Grand Totals**

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<tbody>
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<td></td>
<td></td>
<td>7,200.00</td>
<td>7,200.00</td>
<td></td>
<td></td>
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MEMORANDUM

Date: July 17, 2019

To: Mr. William Connors

From: First Sergeant Tracy Mance

Re: Ignition Interlock Enforcement Detail

On Tuesday, July 30, 2019 at the Victim Impact Panel, STOP-DWI is planning an Ignition Interlock Enforcement Detail in the parking lot of the Guilderland Town Hall. GTSC has allotted monies that we can use for this detail. I am requesting for Probation to assist us for the detail. Overtime for the detail is authorized by STOP-DWI and will be reimbursed at the completion of the detail and reimbursement forms submitted to our office. There may be a second opportunity in September for another Ignition Interlock Enforcement detail which would provide the same overtime reimbursement opportunity. There is also the possibility of up to four similar details in 2020.

If you have any questions please do not hesitate to contact me at (518) 655-7831 or Tracy.Mance@albanycountyny.gov.

Thank you for your assistance.
MEMO

TO: Paul Devane, Clerk of the Legislature

FROM: Rachel Bledi, Board of Elections Commissioner
       Matthew J. Clyne, Board of Elections Commissioner

CC: Dennis Feeney, Majority Leader of the Albany County Legislature
    Frank Mauriello, Minority Leader of the Albany County Legislature
    Shawn A. Thelen, Commissioner, Department of Management and Budget

RE: 2018 Chargeback Certification

DATE: 07/31/2019

Attached is the certified report of chargebacks to municipalities in connection with expenses incurred during the 2018 election cycle.
## 2018 MUNICIPAL CHARGEBACKS, ALBANY COUNTY BOARD OF ELECTIONS

<table>
<thead>
<tr>
<th>Location</th>
<th>Election Day Staff, Inspectors, Custodians, &amp; Party Reps</th>
<th>Temporary Help</th>
<th>Fees for Services, Don's Moving C.</th>
<th>Travel Mileage for Custodians</th>
<th>Polling Site Fees</th>
<th>2018 Totals</th>
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<tbody>
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<td>ALBANY</td>
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<td>$1,400.00</td>
<td>$8,685.41</td>
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<tr>
<td>COHOES</td>
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</table>
Hon. Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Room 710  
Albany, NY 12207  

July 31, 2019  

Dear Chairman Joyce:  

At the July meeting, the Law Committee approved the Crime Victim and Sexual Violence Center to accept a new grant award from the New York State Office of Victim Services, which will be voted on at the August Legislative meeting. This grant is through the Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program in the amount of $638,400.76 begins October 1, 2019. At this time, I am requesting permission to modify the Crime Victim and Sexual Violence Center 2019 budget to allow for the immediate hire of a new child clinician and a new caseworker.  

The Crime Victim Therapist (Child) will be co-located at the Child Advocacy Center to provide on-site services to child sexual and physical abuse victims and their non-offending family members. The Crime Victim Caseworker 4 will provide counseling, court advocacy and NYS OVS claims assistance to victims of violent crime in Albany Police Court, Bethlehem, Berne/Knox, Westerlo, Rensselaerville, and Altamont courts. A spreadsheet containing the details of the budget modification is attached to this request.  

I appreciate your consideration this matter.  

Respectfully Submitted,  

Karen Ziegler  
Director  

Cc: Dennis A. Feeney, Majority Leader  
Frank A. Mauriello, Minority Leader  
Kevin Cannizzaro, Esq., Majority Counsel  
Arnis Zilgme, Esq. Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services): 
CVSVC 2019 Budget Modification for the Victims of Crime Act (VOCA) grant

Date: 8/1/2019
Submitted By: Karen Ziegler
Department: Crime Victim and Sexual Violence Center
Title: Director
Phone: 518/447-7100
Department Rep.
Attending Meeting: Karen Ziegler

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☒ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

☐ Contractual
☐ Equipment
☒ Fringe
☒ Personnel
☐ Personnel Non-Individual
Revenue Account and Line: A34610 03496
Revenue Amount: 42,286.00

Appropriation Account and Line: A4610 .1, .8
Appropriation Amount: 42,286.00

Source of Funding - (Percentages)
Federal: 80%
State: 20%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term
Term: (Start and end date) 10/1/2019 - 9/30/2020
Length of Contract: 12 months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 212
Date of Adoption: 5/14/2018

Justification: (state briefly why legislative action is requested)
At the July meeting, the Law Committee approved the Crime Victim and Sexual Violence Center to accept a new grant award from the New York State Office of Victim Services, which will be voted on at the August Legislative meeting. This grant is through the Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program in the amount of $638,400.76 begins October 1, 2019. At this time, I am requesting permission to modify the Crime Victim and Sexual Violence Center 2019 budget to allow for the immediate hire of a new child clinician and a new caseworker.

The Crime Victim Therapist (Child) will be co-located at the Child Advocacy Center to provide on-site services to child sexual and physical abuse victims and their non-offending family members. The Crime Victim Caseworker 4 will provide counseling, court advocacy and NYS OVS claims assistance to victims of violent crime in Albany Police Court, Bethlehem, Berne/Knox, Westerlo, Rensselaerville, and Altamont courts.
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<th>ACCOUNT NO.</th>
<th>RESOLUTION DESCRIPTION</th>
<th>INCREASE</th>
<th>DECREASE</th>
<th>UNIT COST</th>
<th>DEPARTMENT NAME</th>
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**TOTAL APPROPRIATIONS**

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**ESTIMATED REVENUES**

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**TOTAL ESTIMATED REVENUES**

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<td>42,286.00</td>
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**GRAND TOTALS**

<p>| | | | | |</p>
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<tr>
<td></td>
<td>42,286.00</td>
<td>42,286.00</td>
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</table>
Here are all of the numbers for the positions.

A4610 12233 001 450025 Crime Victim Therapist (Child)
A4610 12237 001 450008 Crime Victim Caseworker

Sarah Cantwell
AC Management & Budget
sarah.cantwell@albanycountyny.gov

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Hi, Sarah!
August 13, 2019

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

Dear Chairman Joyce:

The Office of the County Executive respectfully requests legislative authorization to submit a grant application to the New York State Energy Research and Development Authority (NYSERDA) regarding the Clean Energy Communities grant program. The County was awarded a $250,000 Clean Energy Communities Grant in August of 2017 for becoming the first Clean Energy Community in the Capital District. As a result of the 2018 settlement between New York State and Lafarge North America, Inc. $30,000 in additional funding has been made available to Clean Energy Communities in Albany, Rensselaer, Columbia and Greene Counties.

The County used its initial Clean Energy Communities grant to purchase four electric vehicles for the County fleet and eight EV charging stations for public and fleet use. The electric vehicles have been successfully integrated into County operations and we are seeking to apply to use the additional grant funding to purchase a fifth electric vehicle.

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

Sincerely

Daniel P. McCoy
Albany County Executive

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

Description (e.g., Contract Authorization for Information Services): Authorization to Apply for Additional Clean Energy Community Grant Funding

Date: 8/13/2019
Submitted By: Lucas Rogers
Department: Office of the County Executive
Title: Senior Policy Analyst
Phone: 518-447-5566
Department Rep.: Lucas Rogers
Attending Meeting:

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

New
Submission Date Deadline 9/30/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
New York State Energy Research and Development Authority (NYSERDA)
17 Columbia Circle
Albany, NY 12203

Additional Parties (Names-addresses):
Click or tap here to enter text.

Amount.Raise Schedule/fee:
$30,000
Scope of Services:
Purchase of Additional Electric Vehicle and Charging Station

Bond Res. No.:
Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service:
Yes ☐ No ☒ 
If Mandated Cite Authority:
Click or tap here to enter text.

Is there a Fiscal Impact:
Yes ☐ No ☒
Anticipated in Current Budget:
Yes ☐ No ☒
County Budget Accounts:
Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.

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

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

Term
Term: (Start and end date) Click or tap here to enter text.
Length of Contract: Click or tap here to enter text.

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 434 for 2017
Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)
The Office of the County Executive respectfully requests legislative authorization to submit a grant application to the New York State Energy Research and Development Authority (NYSERDA) regarding the Clean Energy Communities grant program. The County was awarded a $250,000 Clean Energy Communities Grant in August of 2017 for becoming the first Clean Energy Community in the Capital District. As a result of the settlement between New York State and Lafarge North America, Inc. $30,000 in additional funding has been made available to Clean Energy Communities in Albany, Rensselaer, Columbia and Greene Counties.

The County used its initial Clean Energy Communities grant to purchase four electric vehicles for the County fleet and eight EV charging stations for public and private use. The electric vehicles have been successfully integrated into County operations and we are seeking to apply to use the additional grant funding to purchase a fifth electric vehicle.
July 17, 2019

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

Dear Chairman Joyce:

We are requesting permission to apply for the 10-Minute Walk Grant in the amount of $40,000. Through the 10-Minute Walk Campaign, National Recreation and Park Association (NRPA) with support from The JPB Foundation, is offering grants and technical assistance to support planning efforts that help municipalities increase access to high-quality parks within a 10-minute walk. In the third round of grants 10 municipalities will receive $40,000 to work alongside NRPA, The Trust for Public Land, and the Urban Land Institute to develop their highest, best, and measurable commitment to the 10-Minute Walk Campaign.

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

Sincerely,

Daniel P. McCoy
Albany County Executive

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

Description (e.g., Contract Authorization for Information Services):
Authorization to Apply for the 10-Minute Walk Grant

Date: 7/18/2019
Submitted By: Michael Lalli
Department: County Executive's Office
Title: Senior Policy Analyst
Phone: 518-447-5642
Department Rep.
Attending Meeting: Michael Lalli

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

New
Submission Date Deadline 8/2/2019
- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
National Recreation and Park Association (NRPA)
22377 Belmont Ridge Road
Ashburn, VA 20148-4501

Additional Parties (Names/addresses):

Amount/Raise Schedule/Fee: $40,000
Scope of Services: Application for a private grant to increase access to parks within a 10-minute walk.

Bond Res. No.:
Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority:

Is there a Fiscal Impact: Yes ☐ No ☒
Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:
Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: $40,000

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

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

Term
Term: (Start and end date) n/a
Length of Contract: Click or tap here to enter text.

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

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

Justification: (state briefly why legislative action is requested)
Through the 10-Minute Walk Campaign, National Recreation and Park Association (NRPA) and The JPB Foundation, will offer grants and technical assistance to support planning efforts that help municipalities increase access to high-quality parks within a 10-minute walk. In the third round of grants 10 municipalities will receive $40,000 to work alongside NRPA, The Trust for Public Land (TPL), and the Urban Land Institute (ULI) to develop their commitment to the 10-Minute Walk Campaign.

As this grant had a short deadline, we are requesting this permission retroactively.
July 17, 2019

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

Dear Chairman Joyce:

We are requesting permission to enter into a license agreement with the Town of Bethlehem in order to partner on a paved connection between Grove Street in Delmar to the Rail Trail. Construction will be a shared effort between the County and Town. Once complete, this will allow Rail Trail access to and from businesses around the four corners and the creative district in Delmar.

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

Sincerely,

Daniel P. McCoy
Albany County Executive

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

Description (e.g., Contract Authorization for Information Services):
License Agreement with the Town of Bethlehem for a Rail Trail Connection

Date: 7/17/2019
Submitted By: Michael Lalli
Department: County Executive’s Office
Title: Senior Policy Analyst
Phone: 518-447-5642
Department Rep. Attending Meeting: Michael Lalli

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant
  Choose an item.
  Submission Date Deadline Click or tap to enter a date.
- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) License Agreement

Contract Terms/Conditions:

Party (Name/address):
Town of Bethlehem
445 Delaware Ave., Delmar, NY 12054

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee:
Click or tap here to enter text.
Scope of Services:
This license agreement will allow the Town of Bethlehem and Albany County to partner on a paved connection between Grove Street in Delmar to the Rail Trail.

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

CONCERNING ALL REQUESTS

Mandated Program/Service:
Yes ☐ No ☒
If Mandated Cite Authority:
Click or tap here to enter text.

Is there a Fiscal Impact:
Yes ☐ No ☒
Anticipated in Current Budget:
Yes ☐ No ☒
County Budget Accounts:
Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.
Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.

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

Term
Term: (Start and end date) Click or tap here to enter text.
Length of Contract: Click or tap here to enter text.

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 394 of 2018
Date of Adoption: 9/12/2018

Justification: (state briefly why legislative action is requested)
The County Executive’s Office requests to enter a license agreement with the Town of Bethlehem to partner on a paved connection between Grove Street in Delmar to the Rail Trail. Construction will be a shared effort between the County and Town. Once complete, the connection will allow Rail Trail access to and from businesses around the four corners and the creative district in Delmar. A similar project was authorized in 2018 to connect the Rail Trail to a neighborhood in Slingerlands.
MEMORANDUM

To: Honorable Members – Albany County Legislature
   Honorable Albany County Chairman – Andrew Joyce
   Honorable Albany County Executive – Daniel McCoy
   Honorable Albany County – Deputy County Executive – Phil Calderone

From: Bob Belber
       Regional General Manager

Date: July 23, 2019

Re: Request For Legislative Action – Lease Suite # 19
    NYS Correctional Officers & Police Benevolent Association

Suite Renewal – Term – September 1, 2019 - August 31, 2022

This suite holder will be a new tenant in Suite # 19. They would like to start a new lease
and we are seeking approval from the Albany County Legislature to proceed with
entering into a new lease agreement with the current annual lease amount of $51,000 per
year.

A letter of intent has been received with a deposit and pending approval, the County
Attorney’s office will produce a new lease document with the Resolution # assigned.

The tenant will also be responsible for sales tax on tickets to sporting events and cable
TV monthly charges as well as any catered food they purchase through Aramark.

Thank you for adding this to the agenda of the next available Civic Center Committee.

Sincerely;

Bob Belber
General Manager
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for lease of suite #19

Date:       July 23, 2019
Submitted By:    Robert Belber
Department:  Times Union Center
Title:        General Manager
Phone:       (518) 487-2008
Department Rep.:  Robert Belber
Attending Meeting:  Robert Belber

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed)  Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline: Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
NYS Correctional Officers & Police Benevolent Association
102 Hackett Boulevard
Albany, NY 12209

Additional Parties (Names(addresses)):
Click or tap here to enter text.

Amount/Raise Schedule/ Fee: $51,000 per year
Scope of Services:
Three Year Lease of suite #19 to NYSCOPBA

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority:
Click or tap here to enter text.

Is there a Fiscal Impact:
Yes ☒ No ☐
Anticipated in Current Budget:
Yes ☒ No ☐
County Budget Accounts:
Revenue Account and Line: AA 7128 02451
Revenue Amount: $51,000
Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.

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

Term
Term: (Start and end date) September 1, 2019 - August 31, 2022
Length of Contract: Three Years

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

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

Justification: (state briefly why legislative action is requested)
Leasing suite #19 for a three year period - September 1, 2019 thru August 31, 2022. This will be a new tenant lease agreement. The potential tenant has paid the $3,000 deposit along with the signed Letter of Intent.

Submitted By: Robert Belber
Title: General Manager
LETTER OF INTENT
BY
NYS Correctional Officers & Police Benevolent Association
FOR
CORPORATE SUITE #19

The above named party or parties recognize that corporate support is vital to the continued success of the Albany County Civic Center a.k.a. the TIMES UNION CENTER (hereafter the “TIMES UNION CENTER”) and evidencing our support of this facility by this Letter of Intent.

This Letter of Intent demonstrates our intention to lease one of the TIMES UNION CENTER Private Corporate Suites, namely Suite 19 (hereafter the Suite). The cost to lease one of these suites will be FIFTY ONE THOUSAND DOLLARS ($51,000.00) per contract year for a three (3) year term. The parties will endeavor to negotiate mutually acceptable lease terms within ninety (90) days of signing the letter of intent.

The SUITE will be furnished and consist of sixteen (16) seats. The basic amenities typically included in a SUITE are appended and made part of the Letter of Intent. Sixteen (16) passes will be provided at no charge for all Albany Empire and Siena Saints men’s basketball home games. Sixteen (16) passes will also be provided for every ticketed event at the TIMES UNION CENTER in each contract year with the exception of the NCAA events. Suite tickets for NCAA championship events can be purchased by the Suite holder.

Furthermore, each SUITE holder will be entitled to purchase up to sixteen (16) additional tickets for all ticketed events. These tickets shall be in preferred locations outside of the SUITE. Certain events may be restricted to eight (8) additional “outside” seats.

To further solidify this Letter of Intent, a non-refundable deposit of $3,000.00 (THREE THOUSAND AND 00/00 DOLLARS) for the SUITE has been made upon the signing of this document. This deposit represents the first payment as indicated in the lease agreement.
Letter of Intent
NYSCOPBA
Suite #19
Page 2

Dated: 6-27-19

Frank Gilbo
Treasurer
NYSCOPBA
New York State Correctional Officers & Police Benevolent Association, Inc.
NYSCOPBA
102 Hackett Boulevard
Albany, NY 12209
www.nyscopba.org

PAY TO THE ORDER OF: Times Union Center

Three Thousand and 00/100

DOLLARS

101696
7/1/2019

SAP / Corporate Suite #19 Deposit

New York State Correctional Officers & Police Benevolent Association, Inc. www.nyscopba.org

Times Union Center

Date: 6/28/2019  /Type: Bill  Reference: Corporate Suite #19

Original Amt: 3,000.00  Balance Due: 3,000.00

7/1/2019  Discount: 3,000.00

Payment: 3,000.00  Check Amount: 3,000.00

General Operating - K  SAP / Corporate Suite #19 Deposit  3,000.00
August 8, 2019

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Re: Contract Authorization

Dear Chairman Joyce:

The Department of General Services respectfully requests legislative approval to enter into an agreement with Upstate Companies I, LLC for the amount not to exceed $345,807. Please note this amount reflects the total amount of the bid proposal and the contingency.

This contract is for the ongoing renovation work at 260 South Pearl Street to allow the Albany County Board of Elections to move into that space. Work includes electrical, flooring, millwork, plumbing, walls, doors, lighting, fire protection and abatement needed to meet Board of Elections IT and operational requirements. The Albany County Purchasing Department has reviewed this proposal and concurs with the use of the Town of Greece contract.

This project has been included in the 2019 Capital Plan and a SEQR has been completed.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

David M. Latina
Commissioner
Department of General Services

DML:pl
Enclosures

cc: Honorable Dennis Feeney, Majority Leader
    Honorable Frank Mauro, Minority Leader
    Kevin Cannizzaro, Esq., Majority Counsel
    Arnis Zilgme, Esq., Minority Counsel

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REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Authorizing a Contract with Upstate Companies I, LLC Regarding Construction Services for the Renovations at the Former DMV for BOE

Date: 8/8/2019
Submitted By: David M. Latina
Department: Department of General Services
Title: Commissioner
Phone: 447-7207
Department Rep.
Attending Meeting: David M. Latina

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☒ Professional Services
☐ Education/Training
☐ Grant
  Choose an item.
  Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
  Upstate Companies I, LLC
  1690 State Highway 8
  Mount Upton, New York 13089

Additional Parties (Names/addresses):
  Click or tap here to enter text.

Amount/Raise Schedule/Fee: $345,807
Scope of Services:
  Renovation of 260 South Pearl Street for Board of Elections. Work includes but not limited to electrical, flooring, millwork, plumbing, walls, doors, lighting, fire protection and abatement.

CONCERNING ALL REQUESTS

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

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

Appropriation Account and Line: HH05
Appropriation Amount: $345,807

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

Term
Term: (Start and end date) September 1, 2019-March 31, 2020
Length of Contract: 6 months

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

Previous requests for Identical or Similar Action:
Bond Res. No.: Resolution # 544 for 2016 Resolution No. 134 for 2017
Date of Adoption: 12/5/2016 4/12/2017

Justification: (state briefly why legislative action is requested)

The Department of General Services respectfully requests legislative approval to enter into an agreement with Upstate Companies I, LLC for the amount not to exceed $345,807. Please note this amount reflects the total amount of bid proposal and the contingency.

This contract is for the ongoing renovation work at 260 South Pearl Street to allow the Albany County Board of Elections to move into that space. Work includes electrical, flooring, millwork, plumbing, walls, doors, lighting, fire protection and abatement needed to meet Board of Elections IT and operational requirements. The Albany County Purchasing Department has reviewed this proposal and concurs with the use of the Town of Greece contract.

This project has been included in the 2019 Capital Plan and a SEQR has been completed.
To: Karen Storm, Purchasing Agent
From: David M. Latina, Commissioner
Date: August 8, 2019
Re: Upstate Companies I, LLC

I am recommending awarding the contract Upstate Companies I, LLC in the amount not to exceed $345,807.00 through the piggy-backing from the Town of Greece – Gordian Contract

If you need any further information or have any questions, please feel free to contact me.

DML: pl
MEMORANDUM

TO: David Latina  
Commissioner Department of General Services

FROM: Karen Storm  
Purchasing Agent

DATE: August 8, 2019

RE: Contract with Upstate Companies

I am in receipt of your recommendation to award a contract to Upstate Companies I, LLC for an amount not to exceed $345,807, through the piggybacking of a contract from the Town of Greece.

As we have used this contract in the past, at a considerable savings to Albany County, I have no objection to the selection of Upstate Companies for an award.

Please obtain the necessary contract approval of the Albany County Legislature, so that we may issue a Notice of Award.
Job Order Contract

Contractor's Price Proposal Summary - Category

<table>
<thead>
<tr>
<th>Work Order #</th>
<th>068883.00</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
<td>Albany County Board of Elections 260 South Pearl Street</td>
</tr>
<tr>
<td>Contractor</td>
<td>JOC-2019-08-GC - Upstate Companies I, LLC</td>
</tr>
<tr>
<td>Proposal Value</td>
<td>$319,369.42</td>
</tr>
<tr>
<td>Proposal Name</td>
<td>Albany County Board of Elections 260 South Pearl Street</td>
</tr>
</tbody>
</table>

To: Michael Martin  
Director of Facilities  
Albany County  
112 State Street  
Albany, NY 12207

From: Josh Van Valkenburg  
Project Manager  
Upstate Companies I, LLC  
1650 State Highway 8  
Mount Upton, NY 13809

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<td>Ceilings</td>
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<td>Doors</td>
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<td>Millwork</td>
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<tr>
<td>Plumbing</td>
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</tr>
<tr>
<td>Walls</td>
<td>$54,139.38</td>
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</tbody>
</table>

**Work Order Proposal Total**  
$319,369.42

This work order proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.
MEMORANDUM

TO: David Latina, Commissioner, Department of General Services

CC: Laura DeGaetano, Sr. Natural Resource Planner

DATE: October 21, 2016

RE: Facility Improvements

SUBJECT: SEQR compliance for Capital Projects

I have reviewed the documentation you provided describing the referenced project as it relates to State Environmental Quality Review (SEQR). As I understand it, the project includes a continuing program to upgrade and improve existing facilities including interior painting, carpeting, HVAC modifications and the installation of energy management systems at various facilities.

As described above, the proposed renovation project meets the criteria established for SEQR Type II actions pursuant to 6 NYCRR 617.5(c) subdivisions (1), (2), and (25). Accordingly, this action has been determined not to have a significant impact on the environment, and as such, no procedural compliance with SEQR beyond this determination is required at this time.

Should you have any questions or require additional information, please feel free to call me at your convenience.
August 8, 2019

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Re: Contract Authorization

Dear Chairman Joyce:

The Department of General Services respectfully requests legislative approval to enter into an agreement with Postler & Jaeckle Corp. for the amount not to exceed $312,800.

This contract is for the mechanical construction services regarding the Cooling Towers Replacement Project, at the Albany County Office Building, 112 State Street. The current system is almost twenty years old some of the parts are not available to repair issues that have been problematic. At this point the consensus of the County’s Engineering Department and consultants that the cooling towers have outlived its useful life.

This project has been included in the 2019 Capital Plan and a SEQR has been completed.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

David M. Latina
Commissioner
Department of General Services

DML:pl
Enclosures

cc: Honorable Dennis Feeney, Majority Leader
Honorable Frank Mauriello, Minority Leader
Kevin Cannizzaro, Esq., Majority Counsel
Armis Zilgme, Esq., Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services): Authorizing an Agreement with Postier & Jaekle Corp. for Mechanical Construction Services regarding the Cooling Towers Replacement Projects at the Albany County Office Building at 112 State Street

Date: August 12, 2019
Submitted By: David M. Latina
Department: General Services
Title: Commissioner
Phone: 447-7207
Department Rep.
Attending Meeting: David M. Latina

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

☐ Contractual
☐ Equipment
☐ Fringe
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☒ Professional Services
☐ Education/Training
☐ Grant
Choose an item.
Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Postler & Jaeckle Corp.
615 South Avenue
Rochester, New York 14620

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $312,800
Scope of Services: Replace cooling towers at 112 State Street - all mechanical construction work, provide all materials and labor.

Bond Res. No.: Bond Resolution # 558 for 2013
Date of Adoption: 12/05/2013

CONCERNING ALL REQUESTS

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

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

Appropriation Account and Line: HHX8
Appropriation Amount: $312,800

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

Term
Term: (Start and end date) 10/01/2019-09/30/2020
Length of Contract: 1 year

Impact on Pending Litigation
If yes, explain: Yes ☐ No ☒

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

Justification: (state briefly why legislative action is requested)

The Department of General Services respectfully requests legislative approval to enter into an agreement with Postler & Jaeckle Corp. for the amount not to exceed $312,800.

This contract is for the mechanical construction services regarding the Cooling Towers Replacement Project, at the Albany County Office Building, 112 State Street. The current system is almost twenty years old and some of the parts are no longer available for necessary repairs. The cooling towers have outlived their useful life and it is the determination of the County Engineering Department and their consultants that they should be replaced.

This project has been included in the 2019 Capital Plan and a SEQR has been completed.
To: Karen Storm, Purchasing Agent  
From: David M. Latina, Commissioner  
Date: August 12, 2019  
Re: RFB 2019-082

I have reviewed the bids for RFB 2019-082 – MC – Cooling Towers Preplacement Project, Albany County Office Building, 112 State Street and recommend awarding the contract to the lowest responsible bidder, Postler & Jaeckle in the amount not to exceed $312,800.00.

If you need any further information or have any questions, please feel free to contact me.

DML:pl
Memo

To: David Latina, Commissioner, Department of General Services
From: Michael Martin PE, Director, Facilities Engineering Division
Cc: Karen Storm, Purchasing Agent
Date: August 12, 2019
Re: RFB #2019-082 – MC – Cooling Towers Replacement Project, Albany County Office Building, 112 State Street

Recommendation for Award to Postler & Jaekle Corp.

Commissioner Latina,

As you are aware, the Facilities Engineering Division, has developed construction documents, a Request for Bid (RFB) and along with the Purchasing Division solicited bid prices for the 112 State Street Office Building Cooling Towers Replacement Project. Bids for the Mechanical Construction prime contract (MC) have been received and reviewed for conformance with the bid documents.

A tabulation of the Mechanical Construction Bids are attached for your use. After review of the quotes that were submitted, the Facilities Engineering Division recommends you proceed with a request for contract approval of the lowest responsive bidder, Postler & Jaekle Corp. at a cost of $312,800.00.

If you have any questions regarding this project, I can be reached at 447-7032.

Thank you
MEMORANDUM

TO:        David M. Latina, Commissioner
           General Services

FROM:      Karen Storm
           Purchasing Agent

DATE:      August 12, 2019

RE:        RFB#2019-082, Cooling Towers Replacement Project for Albany County Office Building

I am in receipt of your recommendation to award the aforementioned Request for Bids to Postler & Jaeckle in the amount of $312,800.00.

As Postler & Jaeckle is the low responsive and responsible bidder, I concur with your recommendation.

Please obtain the necessary contract approval of the County Legislature, so that we may issue a Notice of Award to the successful bidder.
<table>
<thead>
<tr>
<th></th>
<th>P&amp;J Mechanical</th>
<th>DiGesare Mechanical</th>
<th>Campito</th>
<th>Eckert Mechanical</th>
<th>RMB Mechanical</th>
<th>EW Tompkins</th>
<th>Collett Mechanical</th>
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<tbody>
<tr>
<td>(5%) Bid Security</td>
<td>Bond</td>
<td>Bond</td>
<td>Bond</td>
<td>Bond</td>
<td>Bond</td>
<td>Bond</td>
<td>Bond</td>
</tr>
<tr>
<td>Lump Sum Base Bid</td>
<td>$ 272,000.00</td>
<td>$ 299,600.00</td>
<td>$ 319,120.00</td>
<td>$ 363,693.00</td>
<td>$ 385,000.00</td>
<td>$ 444,000.00</td>
<td>$ 460,000.00</td>
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<tr>
<td>15% Contingency Allowance</td>
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<td>$ 54,554.00</td>
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<td>$ 66,600.00</td>
<td>$ 69,000.00</td>
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<tr>
<td>Total Bid (Base Bid + Contingency Allowance)</td>
<td>$ 312,800.00</td>
<td>$ 344,540.00</td>
<td>$ 366,988.00</td>
<td>$ 418,247.00</td>
<td>$ 442,750.00</td>
<td>$ 510,600.00</td>
<td>$ 529,000.00</td>
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</tbody>
</table>
MEMORANDUM

TO: Joseph McElroy, Acting Commissioner, Department of General Services
CC: George Penn, Acting Deputy Commissioner, Department of General Services
FROM: Laura DeGaetano, Sr. Natural Resource Planner
DATE: October 7, 2013
RE: County Office Building Renovation Project
SUBJECT: SEQR compliance for Capital Projects

I have reviewed the documentation you provided describing the referenced project as it relates to State Environmental Quality Review (SEQR). As I understand it, the project includes renovations at the County Office Building located at 112 State Street. Specific components includes installation of a new roof, upgrades to the HVAC and mechanical and electrical systems, elevator modernizations, remedial work to satisfy ADA compliance, and interior and exterior upgrades. The project is expected to be completed in 2019.

As described above, the proposed renovation project meets the criteria established for SEQR Type II actions pursuant to 6 NYCRR 617.5(c) subdivisions (1), (2), and (25). Accordingly, this action has been determined not to have a significant impact on the environment, and as such, no procedural compliance with SEQR beyond this determination is required at this time.

Should you have any questions or require additional information, please feel free to call me at your convenience.
August 13, 2019

Hon. Andrew Joyce
Chairman
Albany County Legislature
112 State Street – Suite 710
Albany, New York 12207

Dear Mr. Joyce,

The Albany County Energy Advisory Group (EAG) acting as the County’s agent to secure the purchase of low cost energy is requesting authorization to use the Municipal Electric and Gas Alliance (MEGA) program with Direct Energy Business for the purpose of purchasing natural gas. This agreement would provide a lower natural gas rate of $3.995 per Dekatherm based on current fixed daily pricing for the period of November 1, 2022 to October 31, 2023 as compared to the current contract rate of $4.770 per Dekatherm. This contract applies to the following County facilities:

<table>
<thead>
<tr>
<th>Facility ID</th>
<th>Address</th>
<th>Account #</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACWPD South Plant</td>
<td>209 Church Street (Port of Albany)</td>
<td>85399-37103</td>
</tr>
<tr>
<td>ACWPD North Plant</td>
<td>1 Canal Road South (Erie Street)</td>
<td>93999-37108</td>
</tr>
<tr>
<td>Corrections</td>
<td>840 Albany Shaker Road</td>
<td>84199-37105</td>
</tr>
<tr>
<td>Ann Lee Home</td>
<td>875 Albany Shaker Road</td>
<td>85399-37103</td>
</tr>
</tbody>
</table>

Should you have any questions please feel free to contact me.

Very truly yours,

Angelo S. Gaudio
Executive Director

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

Description (e.g., Contract Authorization for Information Services): Approval request to extend the natural gas fixed daily pricing contract with Direct Energy Business through the use of the Municipal Electrical and Gas Alliance (MEGA) program

Date: 8/13/19
Submitted By: Angelo Gaudio
Department: Water Purification District
Title: Executive Director
Phone: 518-477-1624
Department Rep.: Energy Advisory Group
Attending Meeting: Angelo Gaudio

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline Click or tap to enter a date.
Settlement of a Claim
Release of Liability
Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Direct Energy Business
194 Wood Avenue South, 2nd Floor
Iselin, NJ 08830

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee:
Scope of Services:

Click or tap here to enter text.
Click or tap here to enter text.

Bond Res. No.:
Date of Adoption:

Click or tap here to enter text.
Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service:
Yes ☐ No ☒

If Mandated Cite Authority:
Click or tap here to enter text.

Is there a Fiscal Impact:
Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

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

Appropriation Account and Line:
Appropriation Amount: varies by department

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

Term
Term: (Start and end date) November 1, 2022 to October 31, 2023
Length of Contract: 1 year

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 518 of 2017
Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)
The natural gas fixed daily pricing has recently dropped and reached a favorable rate of $3.995 per Dekatherm as compared to the current contract rate of $4.77 per Dekatherm. It is estimated that this rate change would yield a savings of approximately $80,000 for the extended contract term. In order to take advantage the current market rate the Energy Advisory Group (EAG) is recommending extending the natural gas contract with Direct Energy through the MEGA program.
NOTICE OF AWARD

August 14, 2019

Mr. Steven E. Mueller
Senior Account Manager
Direct Energy Business
194 Wood Avenue South, 2nd Floor
Iselin, NJ, 08830

RE: MEGA Contract

Dear Mr. Mueller:

Albany County is now participating in the MEGA (Municipal Electrical and Gas Alliance) program for the purposes of purchasing its natural gas for the accounts listed in the attached.

Full requirements for monthly fixed pricing is as follows:

November 1, 2022 – October 31, 2023  Fixed price, daily balance accounts $3.995/Dekatherm

This award is being made by the Energy Advisory Group and will be approved at the Albany County Public Works Committee, with final approval by the full Albany County Legislature.

As soon as practicable thereafter contract documents will be forwarded for your signature.

Respectfully,

[Signature]
Karen A. Storm
Purchasing Agent

Attach: Direct Energy Business Contract

cc: Shawn Thelen, Commissioner Management and Budget
    Angelo Gaudic, Executive Director, Water Purification District
Facilities Included: Water Purification Districts, Residential Health Care Facilities

<table>
<thead>
<tr>
<th>Service Address</th>
<th>Account number</th>
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</thead>
<tbody>
<tr>
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<td>85399-37103</td>
</tr>
<tr>
<td>Erie St.</td>
<td>93999-37108</td>
</tr>
<tr>
<td>Port of Albany</td>
<td>48999-37103</td>
</tr>
<tr>
<td>840 Albany Shaker Rd</td>
<td>84199-37105</td>
</tr>
</tbody>
</table>
**NEW YORK CUSTOMER DISCLOSURE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Price</strong></td>
<td>Your price is $3.995 per Dth</td>
</tr>
<tr>
<td><strong>Fixed or Variable and, if variable, how the price is determined</strong></td>
<td>Fixed: Refer to Purchase Price on Transaction Confirmation and Special Provisions section on Transaction Confirmation.</td>
</tr>
<tr>
<td><strong>Length of the agreement and end date</strong></td>
<td>12 Months</td>
</tr>
<tr>
<td><strong>Process customer may use to rescind the agreement without penalty</strong></td>
<td>Rescission without penalty not permitted</td>
</tr>
<tr>
<td><strong>Amount of Early Termination Fee and method of calculation</strong></td>
<td>Non-defaulting party has the right to terminate and liquidate all Transactions, calculate a settlement amount by calculating the Close-Out Value for each Transaction and aggregate all amounts owing - See section 12 for more information</td>
</tr>
<tr>
<td><strong>Amount of Late Payment Fee and method of calculation</strong></td>
<td>Interest will be assessed on the late balance at the lower of 1.5% per month or the maximum amount permitted by law - See Section 4 for more information</td>
</tr>
<tr>
<td><strong>Provisions for renewal of the agreement</strong></td>
<td>Automatically renews in successive one-month terms unless affirmatively renewed or terminated by either party.</td>
</tr>
<tr>
<td><strong>Conditions under which savings to the customer are guaranteed</strong></td>
<td>Savings compared to the Host Utility rate are not guaranteed.</td>
</tr>
</tbody>
</table>
**Direct Energy Business Marketing, LLC**
d/b/a Direct Energy Business

194 Wood Avenue South, Second Floor,
Iselin, NJ 08830

Phone: 1-888-925-9115
business.directenergy.com

---

**Marketer Name:** Mueller, Stephen
**Date:** 8/8/2019
**Time:** 9:26:14AM

---

**CUSTOMER INFORMATION**

<table>
<thead>
<tr>
<th>Customer Name</th>
<th>County of Albany</th>
<th>New</th>
<th>Renewal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td>Angelo Gaudio</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>112 State Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Albany, NY 12207</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing Address</td>
<td>112 State Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ALBANY, NY 12207</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**NATURAL GAS TRANSACTION CONFIRMATION AND CUSTOMER DISCLOSURES**

This Transaction Confirmation confirms the terms of the Gas Transaction entered into between Direct Energy Business Marketing, LLC d/b/a Direct Energy Business ("Seller"), and the customer above ("Buyer" or "Customer") pursuant to the terms of the Commodity Master Agreement ("CMA") between Buyer and Seller dated May 15, 2015 as may be amended. The Purchase Price excludes Utility distribution charges and Taxes that are or may be the responsibility of Buyer. Gas volumes will be adjusted for Utility line loss, where applicable. The prices listed below are based on market conditions as of the time, stated above, that this Transaction Confirmation was issued and may be adjusted by Seller to reflect market conditions as of the date it is executed and returned by Buyer. THIS TRANSACTION CONFIRMATION WILL NOT BE EFFECTIVE UNTIL SIGNED BY BOTH PARTIES.

---

**Service Locations**
(Additional pages may be attached if necessary)

<table>
<thead>
<tr>
<th>Service Address</th>
<th>Utility Account No</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>875 Watervliet Shaker Rd</td>
<td>85399-37103</td>
<td>SC-7</td>
</tr>
<tr>
<td>Erie St.</td>
<td>93999-37108</td>
<td>Unknown</td>
</tr>
<tr>
<td>Port of Albany</td>
<td>48999-37103</td>
<td>Unknown</td>
</tr>
<tr>
<td>840 Albany Shaker Rd</td>
<td>84199-37105</td>
<td>Unknown</td>
</tr>
</tbody>
</table>

**Delivery Period**

Begin: 11/01/2022  End: 10/31/2023

The service start date hereunder will be the date that the Utility enrolls
Customer for Seller's service. Seller will request the Utility to enroll Customer on the first meter read date within the Delivery Period.

Upon the expiration of the Delivery Period, this Transaction shall continue for successive one month terms (collectively the "Renewal Term") until either Party notifies the other Party in writing of its intention to terminate, at least 15 days prior to (1) the end of the Delivery Period or (2) during the Renewal Term, the earlier of the end of each successive month Renewal Term or the next cycle read date. After notice is given as contemplated in the previous sentence, the date of termination ("Termination Date") shall be the next effective drop date permitted by the Utility. The Purchase Price for delivery to the Delivery Point during the Renewal Term or for any period outside of the Delivery Period, shall be the then Market Price for delivery to the Delivery Point, unless otherwise agreed to in writing.

<table>
<thead>
<tr>
<th>Delivery Point</th>
<th>National Grid (Upstate)/020918 TGP EAST DLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Quantity (Dth)</td>
<td>Buyer and Seller agree that the Contract Quantity purchased and received means a positive volume up to or greater than the estimated quantities listed below, provided, that for purposes of determining whether a Material Usage Deviation has occurred and for purposes of calculating Contract Quantities remaining to be delivered under Section 12 of the Agreement, Contract Quantity shall be determined by reference to the applicable estimated quantity(ies) listed below.</td>
</tr>
<tr>
<td>Daily</td>
<td>Monthly</td>
</tr>
<tr>
<td>November</td>
<td>11,628</td>
</tr>
<tr>
<td>December</td>
<td>12,044</td>
</tr>
<tr>
<td>January</td>
<td>14,957</td>
</tr>
<tr>
<td>February</td>
<td>12,780</td>
</tr>
<tr>
<td>March</td>
<td>14,117</td>
</tr>
<tr>
<td>April</td>
<td>9,763</td>
</tr>
<tr>
<td>Purchase Price</td>
<td>Fixed Price: $3.995 /Dth</td>
</tr>
</tbody>
</table>
For inquiries related to your purchase, or for any other questions or complaints against Seller, please contact Seller at the address above. For general inquiries related to the sale and delivery of Gas you may contact the New York Public Service Commission, Department of Public Service ESCO hotline at 1-888-697-7728; write the PSC at the Office of Consumer Education & Advocacy, Three Empire State Plaza, Albany, NY 12223, or visit the PSC’s website at http://www.dps.state.ny.us.

Buyer represents and acknowledges that: (a) any rights to a rescission period, longer grace periods or notice periods afforded to residential Buyers do not apply; and (b) upon any discontinuance of service by Seller, Seller will return Buyer to full Utility service by the next effective drop date permitted by the Utility, upon at least fifteen (15) days prior notice, provided that the utility has not already disconnected delivery of the service. If the Utility disconnects delivery of the service, then, effective immediately, Seller will not be responsible to provide Gas or any service under this Transaction.

Buyer represents and warrants that (i) it will provide, to Seller, information reasonably required to substantiate its Gas usage, including information regarding its business, locations, meter/account numbers, historical/projected usage, time of use, hours of operation, utility rate classes, agreements, schedules, which in substantial part form the basis for the calculation of charges for the Transaction hereunder; (ii) acceptance of this Transaction Confirmation constitutes an authorization for release of such usage information; (iii) it will assist Seller in taking all actions necessary to effectuate transactions, including, if requested, executing an authorization form permitting Seller to obtain its usage information from third parties; (iv) the usage information provided is true and accurate as of the date furnished and as of the effective date of the Transaction; (v) it may rescind the authorization for release of such information at any time, upon prior written notice; provided however, that such rescission will be considered an Event of Default by Buyer under Section 11(iv) of the CMA; and (vi) neither it, nor any transaction, has been solicited through “door-to-door sales” (as such term is defined under the Uniform Business Law § 349-d, and Buyer acknowledges that this representation is a material inducement to Seller entering into this Transaction.

*According to the State of New York Public Service Commission’s Uniform Business Practices residential Buyers have the right to cancel a sales agreement, without penalty, within three business days after its receipt.

**According to the State of New York Public Service Commission’s Uniform Business Practices and the State of New York General Business Law § 349-d for transactions solicited through “door-to-door sales” Buyers may not be
charged a termination or early cancellation fee in excess of the greater of: (i) $100 if the remaining term is 12 months or less and $200 if the remaining term exceeds 12 months, or (ii) twice the estimated commodity supply bill for an average month, provided that an estimate of an average monthly bill was provided to the Buyer when the offer was made by the Seller along with the amount of any early termination fee based on such estimate.

Change in Utility Account Numbers:
The account number for a Service Location shall be the Utility Account Number set forth in the Service Locations section above or as attached, as applicable, or any replacement account number issued by the Utility from time to time.

Fixed Price: The Purchase Price for the Contract Quantity, unless otherwise specified in this Transaction Confirmation is $3.995 /Dth.

National Grid Balancing Charge: Pursuant to the Niagara Mohawk tariff, P.S.C. 219, Gas, Rule 17.5, Buyers of gas on the National Grid system are responsible for a monthly Balancing Charge calculated using the Buyer's Maximum Peak Day Quantity ("MPDQ"). While this charge is billed by National Grid to Seller, Buyer acknowledges payment responsibility for the Balancing Charge in addition to all other charges provided for in this Gas Sales Agreement. The Balancing Charge that will be invoiced by Seller as "LDC Tariff Pass-Thru" to Buyer, will be a straight pass-through of the amount billed to Seller by National Grid and will not include any additional costs or mark-up.

Buyer acknowledges that it is acting for its own account, and that it has made its own independent decisions with respect to this Transaction Confirmation and that Seller is not acting as a fiduciary, financial, investment or commodity trading advisor for it in connection with the negotiation and execution of this Transaction.

Gas Settlement Adjustment with 10% Swing: For the purpose of determining the applicable Contract Quantity under this provision, Contract Quantity shall be determined by reference to the respective actual or estimated volumes specified in the "Contract Quantity" section of this Transaction Confirmation. For each month of the Delivery Period, Buyer shall first be responsible for paying the Purchase Price for the Contract Quantity, then, if applicable, to the following adjustments: If Buyer uses more than the Contract Quantity at the Delivery Point
in any month, Buyer will pay the Purchase Price for all Gas supplied to the Delivery Point, up to 110% of the Contract Quantity. If Buyer uses less than the Contract Quantity at the Delivery Point in any month, Seller will credit Buyer's account an amount obtained by multiplying the Purchase Price and the deficient Contract Quantity, up to 10% of the Contract Quantity. Adjustment in each month, November through March: If Buyer exceeds 110% of the Contract Quantity at the Delivery Point, Buyer will pay the Gas Daily Index GD-Iroquois Zone 2 plus $0.600/Dth for all Gas supplied to the Delivery Point in excess of 110% of the Contract Quantity. If Buyer uses less than 90% of the Contract Quantity at the Delivery Point, Seller will credit Buyer's account an amount obtained by multiplying the Gas Daily Index GD-Dominion South Point plus $0.000/Dth, by the deficient Contract Quantity that is in excess of 10% of the Contract Quantity. Adjustment in each month, April through October: If Buyer exceeds 110% of the Contract Quantity at the Delivery Point, Buyer will pay the Gas Daily Index GD-Dominion South Point plus $0.350/Dth for all Gas supplied to the Delivery Point in excess of 110% of the Contract Quantity. If Buyer uses less than 90% of the Contract Quantity at the Delivery Point, Seller will credit Buyer's account an amount obtained by multiplying the Gas Daily Index GD-Dominion South Point plus $0.000/Dth, by the deficient Contract Quantity that is in excess of 10% of the Contract Quantity. The "Gas Daily Index" will equal the average of the "Midpoint" prices published under the respective headings in Platts Gas Daily for supply on each day of the applicable month. If a day does not fall on a Business Day, the Gas Daily Index will be the price published on the next Business Day, provided, however, that if the next Business Day is in the following month, the Gas Daily Index will be the price published on the preceding Business Day. If for any reason the Gas Daily Index does not reflect current market conditions, as determined by Seller, then Seller may substitute an alternative price for the calculations above.
| Tax Exemption Status | [ ] Non-Exempt  
|                     | [ ] Exempt (e.g. Residential, Non-Profit Organization, Manufacturing, Small Business, Agricultural, Resale, etc.)  
|                     | **If exempt, must attach certificate.**  

**PLEASE SIGN AND RETURN THIS TRANSACTION CONFIRMATION LETTER BY FACSIMILE TO 315-423-0964**

| BUYER: County of Albany | SELLER: Direct Energy Business Marketing, LLC  
|-------------------------|-----------------------------------------------  
| By:                     | By: d/b/a Direct Energy Business  
| Print Name:             | Print Name:  
| Title:                  | Title:  
| Date:                   | Date:  


August 14, 2019

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

Approval is requested to renew an agreement with The Altamont Program, Inc. to provide employment and related services for recipients of Temporary Assistance to achieve the most efficient and effective means of facilitating people from public dependency to the workforce and, therefore, to self-supporting lifestyles.

The Altamont Program, Inc. will provide in-program retention services from the first day the individual is enrolled. Strategies will be developed to keep individuals active in all aspects at all points in the program and specific efforts will be made to keep the drop-out rate to a minimum. The provider will also be providing intensive case management and linkage services.

Sincerely,

Michele G. McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
    Frank A. Mauriello, Minority Leader
    Kevin Cannizzaro, Majority Counsel
    Majority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Social Services (Altamont Program)

Date: 8/7/2019
Submitted By: Joseph J DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.: Michele G. McClave
Attending Meeting: 

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item. Submit a contract Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
The Altamont Program, Inc.
428 Duane Avenue
Schenectady, New York 12304

Additional Parties (Names(addresses)):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $529,700
Scope of Services: The Altamont Program will provide the necessary tools and resources to facilitate Albany County Department of Social Services clients’ readiness for, and access to, employment that will lead to self-sufficiency.

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

CONCERNING ALL REQUESTS

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

County Budget Accounts:
Revenue Account and Line: AA6010 04615
Revenue Amount: $529,700.00

Appropriation Account and Line: AA6010 44052
Appropriation Amount: $501,700.00

Source of Funding - (Percentages)
Federal: 94.7%
State: 0
County: 5.3%
Local: 0

Term
Term: (Start and end date) 1/1/2020-12/31/2020
Length of Contract: 12 months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 396
Date of Adoption: 9/12/2018

Justification: (state briefly why legislative action is requested)
Approval is requested to renew an agreement with The Altamont Program, Inc. to provide employment and related services for recipients of Temporary Assistance to achieve the most efficient and effective means of facilitating people from public dependency to the workforce and, therefore, to self-supporting lifestyles. ACDSS has adopted a Work First/Labor force attachment approach utilizing three steps:
1. Preparation for employment;
2. Employment, retention and re-employment
3. Skills upgrade for income enhancement and better employment opportunities

The Altamont Program will provide in-program retention services from the first day the individual is enrolled. Strategies will be developed to keep individuals active in all aspects at all points in the program. Specific efforts will be made to keep the drop-out rate to a minimum. The provider will be providing intensive case management and linkage through:
• Preparation to employment beginning with orientation to employment requirements
• Individual assessments and the development of an Individual Employment Plan (IEP) with short and long term goals, reassessment and update of the IEP as necessary
• Pre-employment job readiness and job skills training including employment preparedness skills
• Resume preparation
• Job searching skills
• Referral to cooperating programs and services; single point of referral and linkage to appropriate community resources for specified services including, but not limited to:
  o essential expertise and resources,
  o vocational rehabilitation services,
  o employment services,
  o educational and training services
  o job development
  o work experience and community service development/placement
• Employment, retention and re-employment (understanding the correlation between employment, budgeting, asset development, credit/banking and self-sufficiency):
  o Accessing tax credits
  o Job placement to facilitate achievement if the maximum degree of self-sufficiency through work appropriate to an individual’s skill levels that will secure them full-time employment with a focus on a career or employment ladder
  o Retentions services for 6 months post TA closing aimed at increasing an individual’s economic stability maximizing available assets
  o Providing an outreach packet on transitional services available designed to improve an individual’s prospect of long term self-sufficiency and economic independence by developing skills and resources that support an individual and preventing a return to public assistance
• Skills upgrade for income enhancement and better employment opportunities include but not limited to:
  o Maximize education and training to prepare an individual for the current job market
  o Increase access to targeted training for jobs in high growth industries and Career Pathways programing
  o Encourage participation in up to a 4 year college degree program for individuals who participate in work activities for 20 hours per week and are able to maintain an appropriate GPA of C
  o Reassess and evaluate the underemployed for skills enhancement
  o Linkage to Job Clubs and other mentoring resources

The Altamont Program was selected through a competitive bid for services under RFP #2017-094. This request is for year three of a five year contract.
August 14, 2019

Hon. Andrew Joyce, Chairman
Legislative Clerk’s Office
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

The Department of Social Services respectfully requests legislative approval for the following:

Authorization is requested to renew agreements with three providers of home establishment furnishings. Local Social Services districts are required to provide for the purchase of necessary and essential furniture, furnishings, equipment and supplies required for the establishment of a home for persons in need of public assistance when provision of such cannot otherwise be made.

The rule applies when an eligible household or member of such is relocating to permanent housing from an institution, residential program, or other temporary living situation or when an individual or family must be re-housed in unfurnished housing due to health and safety concerns involving their current accommodations.

Sincerely,

Michele G. McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauro, Minority Leader
Kevin Cannizzaro, Majority Counsel
Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Social Services (Home Establishment)

Date: 8/7/2019
Submitted By: Joseph J DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.: Michele G. McClave
Attending Meeting:

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline: Click or tap to enter a date.

☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
AAA Furniture, Inc.
73 Central Ave.
Albany, NY 12206

Additional Parties (Names(addresses)):
Bass Company, LLC
355 Broadway
Menands, NY 12204

City Discount Furniture
268 Central Ave.
Albany, NY 12206

AmountRaise Schedule/Fee: $200,000
Scope of Services:
Home Establishment of necessary and essential furniture, including household furnishings, equipment and supplies required for the establishment of a home.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.
Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: 18 NYCRR 352.7

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:
Revenue Account and Line: AA6109 04609 AA6140 03640 AA6142 03642
Revenue Amount: $104,000.00 $26,680.00 $2,000.00

Appropriation Account and Line: AA6109 44046 AA6140 44046 AA6142 44046
Appropriation Amount: $104,000.00 $92,000.00 $4,000.00

Source of Funding - (Percentages)
- Federal: 50%
- State: 16.6%
- County: 33.4%
- Local: Click or tap here to enter text.

Term
Term: (Start and end date) 1/1/2020-12/31/2020
Length of Contract: 12 months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 401
Date of Adoption: 9/12/2018

Justification: (state briefly why legislative action is requested)
Justification: (State briefly why legislative action is required) Authorization is requested to renew agreements with three providers of home establishment furnishings. Local Social Services districts are required to provide for the purchase of necessary and essential furniture, furnishings, equipment and supplies required for the establishment of a home for persons in need of public assistance when provision of such cannot otherwise be made. The rule applies when an eligible household or member of such is relocating to permanent housing from an institution, residential program, or other temporary living situation or when an individual or family must be re-housed in unfurnished housing due to health and safety concerns involving their current accommodations. No RFP is required as Social Services contracts with all willing and able providers. Essential Household Item rates were established pursuant to part 352.7 of the Social Services Law and the regulations of the New York State Office Temporary Disabilities as outlined below:

<table>
<thead>
<tr>
<th>Item</th>
<th>Maximum Amount Allowable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living Room</td>
<td></td>
</tr>
<tr>
<td>$182.00 Single Bed or Crib</td>
<td>$145.00 Two Single Beds</td>
</tr>
<tr>
<td>Kitchen</td>
<td>$142.00 (Plus $12.00 for each additional person) Range</td>
</tr>
<tr>
<td>Refrigerator</td>
<td>$182.00 (or $258.00 for four or more persons)</td>
</tr>
<tr>
<td>(prices $4.00 for each additional person)</td>
<td>Dresser</td>
</tr>
</tbody>
</table>

Authorized rates cannot exceed but may be less than those in the above schedule. An RFP is not required as ACDSS contracts with all willing and able providers.
August 14, 2019

Hon. Andrew Joyce, Chairman
Legislative Clerk’s Office
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

Authorization is requested to contract with Community Maternity Service (CMS) to provide services to homeless or parenting young woman 16-22 years of age. Local Social Service Districts are required to establish per diem rates with non-profit providers of maternity shelter care operating within their county. Only those eligible for public assistance will be reimbursed under this contract.

CMS is a Transitional Living Program of Albany County which provides specialized services to youth who are parenting children. The services that are offered are not provided anywhere else in our system and the focus is on developing life skills and independence. By removing this type of client from the general shelter population, and placing them in a shelter program tailored to their specific needs, we feel that this service would be extremely valuable to young women and provide better outcomes for long-term self-sufficiency.

Sincerely,

Michele G. McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
    Frank A. Mauriello, Minority Leader
    Kevin Cannizzaro, Majority Counsel
    Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Social Services (CMS)

Date: 7/24/2019
Submitted By: Joseph J DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.: Michele G. McClave
Attending Meeting:

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☒ Professional Services
☐ Education/Training
☐ Grant
   Choose an item.
   Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
   Community Maternity Services
   27 North Main Avenue
   Albany, NY 12208

Additional Parties (Names/addresses):
   Click or tap here to enter text.

Amount/Raise Schedule/Fee: $300,000
Scope of Services: Maternity shelter care will be provided through a State-certified 11-bed maternity shelter for pregnant females who require temporary accommodations, supervision and services. Only the stays of individuals eligible for public assistance will be reimbursed under this contract.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: 18 NYCRR 352.8
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:
Revenue Account and Line: AA6109 04609
Revenue Amount: $300,000

Appropriation Account and Line: AA6109 44046
Appropriation Amount: $300,000

Source of Funding - (Percentages)
Federal: 100%
State: 0
County: 0
Local: 0

Term
Term: (Start and end date) 1/1/2020 - 12/31/2020
Length of Contract: 12 Months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 397
Date of Adoption: 9/9/2018

Justification: (state briefly why legislative action is requested)
Justification: (State briefly why legislative action is requested) Authorization is requested to contract with Community Maternity Services (CMS) to provide services for homeless or parenting young woman 16-22 years of age. Local social services districts are required to establish per diem rates with non-profit providers of maternity shelter care operating within their county. Only those eligible for public assistance will be reimbursed under this contract (reimbursement is also provided under the foster care system, for pregnant adolescents under the custody of the Commissioner. Maximum rates for foster care placement are State-established and are higher than those proposed for public assistance recipients). CMS is a Transitional Living Program providing specialized services to homeless or parenting young woman of Albany County, as well as adolescents that are parenting children. The mission of CMS is to provide transitional housing including room, board, supervision, information, referral, case management, parenting education, independent living skills building, advocacy, medical, mental health systems and other appropriate support services to women ages 16 through 22. Such homeless persons must be able to demonstrate eligibility for public assistance through Albany County Department of Social Services. CMS projects to provide transitional living services to 14 total youth and children during a 12-month period, which will be reimbursed through federal monies for transitional living programs and Temporary Housing Assistance. CMS has also partnered with surrounding counties. The services that are offered are not provided anywhere else in our system and the focus is on developing life skills and independence. By removing this type of client from the general shelter population, and placing them in a shelter program tailored to their specific needs, we feel that this service would be extremely valuable to young women and provide better outcomes for long-term self-sufficiency. Between 7/1/18 - 6/30/19 Albany County Department of Social Services had 78 unduplicated instances of homelessness with females aged 16 to 22 years old.
August 12, 2019

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew an interdepartmental agreement with the Albany County Probation Department for prevention and supervision and treatment services for juveniles.

The requested agreement is for $676,606 for the term of January 1, 2020 – December 31, 2020.

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-7792.

Sincerely,

Gail Geohagen-Pratt
Commissioner

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

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Prevention and Supervision and Treatment Services with Albany County Probation

Date: August 5, 2019
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep.
Attending Meeting: Gail Geohagen, Commissioner

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline Click or tap to enter a date.
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
- Albany County Probation Department
  60 South Pearl Street
  Albany, NY 12207

Additional Parties (Names(addresses)):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $676,506
Scope of Services: Prevention services contract with Albany County Probation Department for supervision and treatment services for juveniles.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority:
Title 4 of Article 6 of the Social Services Law, sections 409 through 409-b
Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:
Revenue Account and Line: AA6071 03670, 04615 / AA3140 03314
Revenue Amount: $330,860, $110,287 / $676,606

Appropriation Account and Line: AA6071 44046
Appropriation Amount: $676,606

Source of Funding - (Percentages)
Federal: 18
State: 51
County: 31
Local: Click or tap here to enter text.

Term
Term: (Start and end date) 1/1/2020 - 12/31/2020
Length of Contract: 12 Months

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

Previous requests for identical or Similar Action:
Resolution/Law Number: 18-405, 17-349, 16-375, 15-402, 14-385, 13-346, 12-486
Date of Adoption: 9/12/18, 9/11/17, 9/12/16, 10/13/15, 10/14/14, 10/15/13, 12/3/2012

Justification: (state briefly why legislative action is requested)
Please see attached
The Department for Children, Youth and Families
Justification for Contract Authorization Renewal with
the Albany County Department of Probation

The Department for Children, Youth and Families (DCYF) respectfully requests Legislative authorization to renew a contractual agreement with the Albany County Department of Probation for the provision of prevention services, and supervision and treatment services for juveniles. The term of the contract will be January 1, 2020 – December 31, 2020 in an amount not to exceed $676,606.

There has been a historical relationship between these two County Departments as it relates to the provision of prevention services and supervision and treatment services for juveniles. The contract funding will be used to offset the salary and fringe benefit costs for Probation employees as well as services for programs in the Juvenile Community Accountability Board, PINS 18, the Parent Project, and Juvenile Release Under Supervision. All of these programs are an effort to reduce the likelihood of the youth’s further penetration in the Juvenile Justice system.
August 12, 2019

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew a contractual agreement with the State University of Albany for the provision of management training and coaching:

The requested agreement is for $40,134 for the term of January 1, 2020 – December 31, 2020 and carries a local share of approximately $3,000.

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-7792.

Sincerely,

[Signature]

Gail Geohagen-Pratt
Commissioner

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

Description (e.g., Contract Authorization for Information Services):
Contract Authorization- Management training and coaching with State University at Albany

Date: August 5, 2019
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep. Attending Meeting: Gail Geohagen, Commissioner

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
☐ Personnel Non-Individual
CONCERNING CONTRACT AUTHORIZATIONS

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

Choose an item.
Submission Date Deadline: Click or tap to enter a date.
- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap to enter text.

Contract Terms/Conditions:

Party (Name/address):
University at Albany, School of Social Welfare
135 Western Avenue
Albany, NY 12222

Additional Parties (Names(addresses)):
Click or tap to enter text.

Amount/Charge Schedule/Fee: $40,134.00
Scope of Services:
Renewal of a contract with SUNY Albany, School of Social Welfare to
deliver management training and coaching services.

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

CONCERNING ALL REQUESTS

Mandated Program/Service:
Yes ☐ No ☑
If Mandated Cite Authority:
Click or tap to enter text.

Is there a Fiscal Impact:
Yes ☑ No ☐
**File #: TMP-1030, Version: 1**

**Anticipated in Current Budget:** Yes ☑ No ☐

**County Budget Accounts:**
- **Revenue Account and Line:** AA6119 03610 04610
- **Revenue Amount:** $10,034 $20,067
- **Appropriation Account and Line:** AA6119 44039
- **Appropriation Amount:** $40,134

**Source of Funding - (Percentages)**
- Federal: 50
- State: 25
- County: 8
- Local: 18

**Term**
- **Term: (Start and end date):** 1/1/2020 - 12/31/2020
- **Length of Contract:** 12 Months

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

**Previous requests for Identical or Similar Action:**
- **Resolution/Law Number:** 18-404, 17-346, 16-376, 15-403, 14-335, 13-345, 12-15
- **Date of Adoption:** 9/12/18, 9/11/17, 9/12/16, 10/13/15, 9/8/14, 10/15/13, 2/13/2012

**Justification:** (state briefly why legislative action is requested)
- **Please see attached**
Department for Children, Youth and Families

Backup Material for Renewal Contractual Authorization
with the University at Albany School of Social Welfare

The Department respectfully requests Legislative authorization to enter into a renewal contract with the University at Albany School of Social Welfare in the amount of $40,134 for the term of January 1, 2020 – December 31, 2020.

As part of the Department’s restructuring plan, as well as continued improvement in practices and service delivery, the Department has secured the collaboration of the University at Albany School of Social Welfare to provide Management and Leadership training and coaching as well as staff training. The Department has worked diligently to put into place the infrastructure to support consistent and effective supervision, management and leadership of staff and programs. However, as with any organization, the supervisory, management and leadership skill level of employees is varied. Therefore, as a continued effort to improve practices of the Department, this collaboration was pursued.

The University at Albany will continue to deliver a Leadership and Management training Series that provides advanced training to managers and supervisors to help build leadership skills and to improve their respective programs and staffs. The training consists of a series of leadership and management topics selected through an assessment of need. The topics may include: fundamentals of leadership, teambuilding, workforce management, leading for results, effective performance reporting, measuring program improvement and leading change.

The University at Albany School of Social Welfare would also continue to provide on-site training, coaching and mentoring for managers, supervisors and staff through classroom training, individual training or through coaching sessions to help participants put into specific practice the concepts from content training.

The cost/reimbursement structure, as well as the contract deliverables is subject to NYS Office of Children and Family Services Bureau of Training approval, which will be sought pending Legislative authorization. It is anticipated that the County will remain responsible for 7.5% of the cost of this contract following reimbursement through the department’s training allocation and SUNY’s 17.5% committed cost share.
August 7, 2019

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

The Mental Health Department submits the following request for Legislative Action for the September Legislative meeting. The Department of Mental Health requests permission to renew a contract for Re-Entry services with the NYS Division of Criminal Justice Services, based on the May 29, 2019 award letter. The grant award in the amount of $220,705 shall be designated for the period, October 1, 2019 through September 30, 2020.

Feel free to contact me or Kelle Roberts if you have any questions concerning this request.

Sincerely,

[Signature]
Stephen Giordano, Ph.D.
Director

cc: Hon. Dennis Feeney, Majority Leader
    Hon. Frank Mauro, Minority Leader
    Kevin Cannizzaro, Majority Counsel
    Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Renewal for NYS Division of Criminal Justice Reentry Grant Funds

Date: Wednesday August 7, 2019
Submitted By: Mark Gleason
Department: Mental Health
Title: Mark Gleason, Operations Analyst
Phone: 518-447-3014
Department Rep.: Dr. Stephen Giordano, Director
Attending Meeting: Click or tap here to enter text.

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant
  - Renewal
  - 10/1/2019
- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
NYS Division of Criminal Justice Services
80 South Swan Street
Albany, NY 12210

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $220,705.00
Scope of Services:
Provide reentry services to moderate-high risk individuals returning from state prison.

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

CONCERNING ALL REQUESTS

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

County Budget Accounts:
Revenue Account and Line: AA4310 01625 $90,705.00/AA4322 03490 $130,000.00
Revenue Amount: $220,705.00

Appropriation Account and Line: AA4310 12260 $64,212.00/AA4310 89010 $12,071.00/ AA310 89030
$4,912.00/ AA4310 89060 $18,897.00/ AA4322 44479 $130,000.00
Appropriation Amount: $220,705.00

Source of Funding - (Percentages)
Federal: 0%
State: 96%
County: 4%
Local: 0%

Term
Term: (Start and end date) 10/1/2019-9/30/2020
Length of Contract: 12 Months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 319
Date of Adoption: 7/9/2018

Justification: (state briefly why legislative action is requested)
The Reentry program has been managed by the ACDMH (Albany County Department of Mental Health) since 2010, the program was managed prior to ACDMH involvement by the Department of Social Services. The Reentry task force provides rehabilitation and case management services to eligible individuals being released from state prison and seeks to reduce recidivism and promote quality of life to participants. The primary goal of the Reentry program is to reduce offender recidivism. It is expected that the Reentry program participants will be more successful in reintegrating into the community having received effective service planning and coordination. The Reentry program provides job readiness programs and sustained support during the critical period of re-entry for program participants. For the nine month period of October 2018 through June 2019 the program has completed 226 individual assessments and 179 participants have achieved 45 days or longer of participation. The Reentry program has enrolled 63 individuals in an employment readiness program with 21 participants successfully completing the program (some participants are still working on successfully completing the program). The Reentry program remains committed to providing information, support and concrete assistance to the returning citizen of Albany County and working with the DOCCS (Department of Corrections and Community Supervision) and parole officers to successfully maintain individuals in the community while reducing recidivism rates for the population that the program serves.
Grant Award Notice

<table>
<thead>
<tr>
<th>Grantee/Contractor:</th>
<th>Date:</th>
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<tr>
<td>Albany County</td>
<td>May 29, 2019</td>
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<tr>
<th>Program Name:</th>
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<tr>
<td>Albany County Re-entry Task Force</td>
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<th>Signatory Name and Title:</th>
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<tr>
<td>Phillip Calderone</td>
<td>October 1, 2019 to September 30, 2020</td>
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<td>Deputy County Executive</td>
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<tr>
<th>Email:</th>
<th>Application No.:</th>
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<tr>
<td><a href="mailto:philip.calderone@albanycounty.com">philip.calderone@albanycounty.com</a></td>
<td>DCIO1-RE-2019-00020 – New Gateway number</td>
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<tr>
<td>10000002428</td>
<td>– New Gateway number</td>
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This award is to maintain the level of support previously provided to your re-entry program by DCIS. This funding is contingent upon the review and approval of all answers outlined in the attached guidance document. An Office of Probation and Correctional Alternatives (OPCA) representative will contact your agency to finalize the development of the program work plan for the contract. Should you have any program questions before being contacted, please contact Michele Clarke, DCIS OPCA Alternatives to Incarceration Program Manager at (518) 485-0265 or michele.clarke@dcis.ny.gov. The award amount listed above is also contingent on the availability of state grant funds. This funding must supplement, not supplant, non-grant funds that would otherwise be available for expenditure on the programs proposed. Please note that the prompt completion of all requirements will facilitate timely execution of contracts. If you have any questions on this award, please contact: Scott Lindgren, NYS Division of Criminal Justice Services, Office of Program Development and Funding (OPDF) at (518) 457-9787 or Scott.Lindgren@dcis.ny.gov

Congratulations on your award. DCIS looks forward to working with you on this important project.

Cc: Robert M. Maccarone, Deputy Commissioner and Director
August 7, 2019

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

The Mental Health Department submits the following request to enter into a contract with Homeless and Travelers Aid Society (HATAS) to provide care management services to individuals being released from prison and participating in the Reentry Program. Contract term is for one year (10/1/2019-9/30/2020). HATAS was the successful proposer to RFP #2017-088 seeking these services.

Feel free to contact me or Kelle Roberts if you have any questions concerning this request.

Sincerely,

[Signature]

Stephen Giordano, Ph.D.
Director

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Maurello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services): Contract Authorization for Homeless & Travelers Aid Society (HATAS)

Date: Wednesday August 7, 2019
Submitted By: Mark Gleason
Department: Mental Health
Title: Operations Analyst
Phone: 518-447-3014
Department Rep.: Dr. Stephen Giordano, Director
Attending Meeting: Click or tap here to enter text.

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☒ Grant
Renewal
10/1/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Homeless & Travelers Aid Society
138 Central Ave.
Albany, NY 12206

Additional Parties (Names/addresses): Click or tap here to enter text.

Amount/Raise Schedule/Fee: $130,000
Scope of Services: Provides case management services as a subcontractor under the Reentry Grant the Department of Mental Health receives from the NYS Division of Criminal Justice Services.

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.
File #: TMP-1036, Version: 1

Is there a Fiscal Impact: Yes ☐ No ☑
Anticipated in Current Budget: Yes ☑ No ☐

County Budget Accounts:
Revenue Account and Line: AA4322 03490
Revenue Amount: $130,000
Appropriation Account and Line: AA4322 44479
Appropriation Amount: $130,000

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

Term
Term: (Start and end date) 10/1/2019-9/30/2020
Length of Contract: 12 Months

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

Previous requests for Identical or Similar Action:
Resolution/Law Number: 320
Date of Adoption: 7/9/18

Justification: (state briefly why legislative action is requested)
Homeless and Travelers Aid Society was the successful proposer to the RFP 2017-088 to provide case management services to individuals returning from state prison who are served by the Reentry Grant the Department of Mental Health receives from the NYS Division of Criminal Justice Services.
# BYLAWS OF THE
# ALBANY COUNTY
# COMMUNITY SERVICES BOARD

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**DRAFT as of 44/8/481/10/19**

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ARTICLE II: NAME
A. This organization shall be known as the Albany County Community Services Board (hereinafter referred to as the "CSB").

ARTICLE III: PURPOSE
A. Pursuant to Article 41 of the New York State Mental Hygiene Law, the purposes of this organization are to:
   • Advocate, foster, enable, and encourage preventive, intervention, and rehabilitative services for persons with mental disabilities, alcohol or substance abuse issues, and developmental disabilities
   • Improve existing programs for persons with disabilities and to plan for the integration and use of community, regional and state services
   • Assist and advise the Director of Mental Health in overseeing and evaluating locally sponsored providers, including contract agencies and others under its jurisdiction
   • Assist and advise the Director of Mental Health in the planning and oversight of the entire mental hygiene delivery system within Albany County.

ARTICLE IV: POWERS AND DUTIES
A. The CSB shall have the powers and duties as set forth in Article 41.13 of the New York State Mental Hygiene Law as amended or as set forth in the regulations of the Office of Mental Health, Office for People with Developmental Disabilities, and Office of Alcohol and Substance Abuse Services.

ARTICLE V: COMPOSITION AND TERMS
A. Pursuant to 41.11 of the New York State Mental Hygiene Law, the CSB shall have 15 members who may be proposed by the CSB and shall be appointed by the Albany County Legislature (hereinafter referred to as the "Legislature").
B. Whenever practical, at least one member of the CSB shall be a licensed physician and one shall be a licensed psychologist or otherwise, at least two members shall be licensed physicians.
C. The CSB will make every effort to have both demographic and geographic representation, whenever practical, and members of the CSB shall represent the community's interest in the problems of persons with mental disabilities.
D. The CSB will make a diligent effort, in compliance with regulatory requirements, to ensure that former patients, parents, or relatives of persons with mental disabilities are proposed to the CSB and/or appropriate subcommittees.
E. The CSB shall have separate subcommittees for Mental Health, Developmental Disabilities, and Alcohol and Substance Abuse as described in Article VII.
F. Each CSB member shall serve for a four year term beginning with the first day of January of the year of appointment. Members may also be appointed to fill vacancies, wherein they would complete an unexpired term.
G. All vacancies are to be filled by appointment by the Legislature.
ARTICLE V: OFFICERS, OFFICER TERMS, AND DUTIES

Section 1. Officer Positions
A. The officers of the CSB shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. They shall serve in this capacity for a term of two years, beginning with the first day of January of the year of appointment and shall be elected from the membership of the CSB.

Section 2. Officer Nominations and Appointments
A. No later than the July meeting of the year in which the terms are expiring, the Chairperson will appoint a Nominating Committee consisting of at least three members of the CSB, none of whom shall be an officer for the year in which he or she serves on such a committee.
B. The Nominating Committee will present to the full CSB at a meeting to be held in the month of September (of alternate years and/or as needed), a proposed slate of officers, consisting of a Chairperson, Vice-Chairperson, and Secretary. Nominations may be made from the floor for any office.

Section 3. Duties of the Chairperson
A. The Chairperson shall preside over all meetings of the CSB.
B. The Chairperson shall propose individuals to the Legislature for appointment by the Legislature to all Committees and Subcommittees and act as an ex-officio member of each.
C. When authorized by vote of the CSB, the Chairperson shall execute, in the name of the CSB, all documents and instruments relating to or disposing of property of the CSB.
D. The Chairperson may vary the schedule of CSB meetings depending on the nature and amount of business to be addressed.
E. The Chairperson may call special meetings at any time with at least 48 hours notice.
F. The Chairperson of the CSB shall propose the Chairpersons of each Subcommittee, who shall serve a term concurrently with the term of the Executive Committee.

Section 4. Duties of the Vice-Chairperson
A. In the event of the absence, incapacity or inability of the Chairperson or Secretary to exercise or perform the duties or powers incident to that office, such duties or powers shall be performed and exercised by the Vice-Chairperson and other such duties as may be directed by the CSB until an election is held to fill the vacancy.

Section 5. Duties of the Secretary
A. The Secretary shall be responsible, in conjunction with the Chairperson, for the compiling of the CSB Meeting agendas, reviewing the minutes of meetings taken by the recording secretary and ensuring that the agendas and minutes are posted to the Albany County website pursuant to Resolution 220(a) for 2016.
B. The Secretary, or a designee, shall be responsible for giving notice of all meetings to CSB
members and perform such other duties as may be required by the Chairperson of the CSB. In the absence of the Chairperson and Vice-Chairperson, the Secretary will serve as Chairperson of CSB meetings.

C. The Secretary shall assure that the bylaws are accurate, up-to-date, and accessible to CSB members.

D. The Secretary shall maintain a file of CSB documents.

E. The Secretary shall maintain tracking of attendance per attendance requirements as stated in these bylaws and give notice to members regarding non-attendance as needed.

F. The Secretary shall maintain a to-do list and include follow-up items as appropriate on each agenda.

G. The Secretary may call special meetings with 48 hours' notice upon the request of three CSB members.

H. The Secretary, or designee, shall share the minutes of the prior meeting with the members of the Executive Committee for review and approval prior to them being shared with CSB members.

ARTICLE VI: COMMITTEES

Section 1. Executive Committee

A. The CSB shall have an Executive Committee comprised of its officers and the Chairpersons of the Subcommittees.

B. The quorum for an Executive Committee shall consist of three members present.

C. The Executive Committee will meet at the call of the Chairperson or any two other members of the Committee.

Section 2. Subcommittees

A. The CSB shall have three standing Subcommittees; a Mental Health Subcommittee, a Developmental Disabilities Subcommittee and an Alcohol, Substance Abuse and Gambling Subcommittee.

B. In accordance with Mental Hygiene law, the Mental Health Subcommittee shall consist of no more than 11 members and the Developmental Disabilities and Alcohol, Substance Abuse and Gambling Subcommittee shall consist of no more than 9 members. For each Subcommittee, three members shall be members of the CSB.

C. CSB members of each Subcommittee shall be proposed by the Chairperson of the CSB and shall be submitted to the Legislature for appointment.

D. The process for appointing non-CSB members shall begin at their respective Subcommittees, and once approved by the CSB, shall be submitted to the Legislature for appointment.

Commented [SW]: Gambling is currently under the auspices of OASAS, not OMH.
Section 3. Subcommittee Composition

A. Each Subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of persons with mental disability, and shall include former patients, parents or relatives of such persons with mental disability, and community agencies servicing such persons.

B. All appointments will be made after taking into consideration the respective Subcommittee members' interest and background with the intent that each Subcommittee will represent its respective constituency.

C. It will be the responsibility of each Subcommittee to contribute to and oversee their respective part of the planning process resulting in the annual plan for mental health, developmental disabilities, and alcohol and substance abuse services for Albany County that includes both State and local service providers. To this end, it is the responsibility of subcommittee members to keep abreast of their respective area, to review, monitor and evaluate State and local services and to address all policy issues under its purview.

D. It shall also be the responsibility of the Subcommittees to report back to the CSB on its activities and recommendations through their respective Chairperson and through CSB members serving on these Subcommittees.

E. In any case, where the majority of recommendations of a non-CSB member are opposed to those of the CSB members, a report of such positions will be given along with the CSB members' recommendations.

F. When it is deemed appropriate by the Chairperson of such Subcommittee, non-CSB members shall be invited to CSB meetings to address specific concerns.

Section 4. Subcommittee Chairpersons

A. The Chairpersons of each Subcommittee shall be proposed by the Chairperson of the CSB.

B. The Chairpersons of each Subcommittee shall serve a term concurrently with the term of the Executive Committee.

Section 5. Revisions to Tenures of Membership of Subcommittees

Revisions to tenures of membership of Subcommittees shall conform with Section 41 of the Mental Health Law will be enacted as needed by the CSB.

A. As vacancies arise or terms expire, the Subcommittees may submit names of individuals to the CSB regarding the respective Subcommittee. The CSB, in turn, may propose individuals to the Legislature for appointment.
ARTICLE VII: MEETINGS

Section 1. Organizational Meetings

A. Organizational meetings to plan for the upcoming year, elect new officers, and appoint new members of the CSB and subcommittees if and as needed, shall be held at the regular meeting to be held during the month of September, or as called by the Chairperson.

Section 2. Regular Meetings

A. Regular meetings of the full CSB shall be held bi-monthly on the second Thursday of the odd numbered month at a time and place to be designated by the Chairperson that is reasonably convenient and accessible to CSB Board members. Thus, the required regular meetings shall be held in January, March, May, July, September, and November of each calendar year.
B. The Chairperson may vary this schedule depending on the availability of members and the nature and amount of business before the CSB.

Section 3. Special Meetings

A. Special meetings of the CSB may be called at any time by the Chairperson.
B. Notice of such special meetings will be given to the office or home of each member of the CSB, in writing, by phone, or by e-mail at least 48 hours prior to the time of such meeting. Said notice shall consist of the time and place of the meeting and an agenda of the business to be conducted at such meeting.
C. No business other than that specified in the notice of the meeting shall be transacted at any special meeting of the CSB.
D. Special meetings may also be called by the Secretary upon the written request of three members of the CSB. The notice requirements for special meetings called by the Secretary shall be the same as the notice requirements for special meetings called by the Chairperson.

Section 4. Subcommittee Meetings

A. Meetings of the three Subcommittees shall be held monthly or bi-monthly or at the call of the respective Chairperson.
B. Unexcused non-attendance of any four of the regular meetings of a Subcommittee during the calendar year shall be considered a resignation from the Committee.
C. If unable to attend a Subcommittee meeting, members should notify the Subcommittee Chairperson.
D. Notice will be given to a member after unexcused non-attendance of three meetings.

Section 5. Meeting Agendas

A. An agenda shall be prepared for each meeting.
B. Agenda items shall be submitted for inclusion at least 48 hours before meetings.
C. The completed, proposed agenda shall be reviewed with the Chairperson and posted on
the Albany County website by the Secretary, or a designee, at least 48 hours prior to the meeting.

Section 6. Quorum
A. A quorum for doing business at regular CSB meetings and all Subcommittees shall consist of a majority of members currently appointed by the Legislature.

Section 7. Public Access
A. All CSB meetings shall be open to the public and any individual representing the public wishing to address the CSB shall do so at the beginning of the meeting, after receiving permission from the Chairperson, including the amount of time that such individual may speak.
B. Executive sessions are held at the determination of the Chairperson, and may be called as necessary.

Section 8. Attendance
A. Unexcused non-attendance at any four of the six regular meetings of the CSB during the calendar year shall be considered a resignation from the CSB.
B. If unable to attend a CSB meeting, members should notify the Chairperson or a designee.
C. Secretary will provide notice to a member regarding non-attendance after three unexcused missed meetings.
D. On petition from a CSB member so excluded, the CSB may vote to make an exception in individual cases where there are circumstances such as accident, prolonged illness, or other situations that are determined to be exceptional or unavoidable.

ARTICLE VIII: PARLIAMENTARY PROCEDURES
A. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the CSB to the extent practical, and which they are not inconsistent with the bylaws and any special rules of order the CSB may adopt.

ARTICLE IX: BYLAW AMENDMENTS
A. These bylaws may be amended at any meeting of the CSB by an affirmative vote of 2/3 of the members present and voting, provided that the amendment has been presented in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon.
B. These bylaws may be amended at any meeting of the CSB without prior written notice on the unanimous approval of all members of the CSB present and voting.
C. All amendments to these Bylaws are subject to the approval of the Albany County Legislature.
ANNEX I: Bylaw Amendment History

1. July 2014
   - Initial draft

2. April 2017
   - Administrative processes
   - Clarifications on governing legislation

3. September 2018—Proposed changes in process:
   - Officer and board member duties
   - Executive committee role and processes
   - Parliamentary procedure
   - Minor clarifications

4. October 2018—final amendments and CSB adoption
BYLAWS OF THE ALBANY COUNTY COMMUNITY SERVICES BOARD

ARTICLE I

NAME

Section 1. This organization shall be known as the Albany County Community Services Board (hereinafter referred to as the "CSB").

ARTICLE II

PURPOSE

Section 1. Pursuant to Article 41 of the New York State Mental Hygiene Law, the purposes of this organization are to advocate, foster, enable, and encourage preventive, intervention, and rehabilitative services for persons with mental disabilities, including those with alcohol or substance abuse issues, the mentally ill/emotionally disturbed, and the developmentally disabled; to improve existing programs for persons with mental disabilities to plan for the integration and use of community, regional and state services; to assist and advise the Commissioner of Mental Health in overseeing and evaluating locally sponsored providers, including contract agencies and others under its jurisdiction; and to assist and advise the Commissioner of Mental Health in the planning and oversight of the entire mental hygiene delivery system within Albany County.

ARTICLE III

POWERS AND DUTIES

Section 1. The CSB shall have the powers and duties as set forth in Article 41.13 of the New York State Mental Hygiene Law as amended or as set forth in the regulations of the Commissioner of Mental Health, Office for People with Developmental Disabilities, and Alcohol and Substance Abuse.

ARTICLE IV

COMPOSITION

Section 1. Pursuant to §41.11 of the New York State Mental Hygiene Law, the CSB shall have 15 members who may be proposed by the CSB and shall be appointed by the Albany County Legislature (hereinafter referred to as the "Legislature"). Whenever practical, at least one member of the CSB shall be a licensed physician and one shall be a licensed psychologist or otherwise, at least two members shall be licensed physicians. The CSB will make every effort to have both demographic and geographic representation, whenever practical, and members of the CSB shall represent the community's interest in the problems of persons with mental
disabilities. The CSB will make a diligent effort, in compliance with regulatory requirements, to ensure that former patients, parents or relatives of persons with mental disabilities are proposed to the CSB and/or appropriate subcommittees. The CSB shall have separate subcommittees for Mental Health, Developmental Disabilities, and Alcohol and Substance Abuse as described in Article VII.

Each CSB member shall serve for a four year term beginning with the first day of January of the year of appointment. Members may also be appointed to fill vacancies, wherein they would complete an unexpired term. All vacancies are to be filled by appointment by the Legislature.

**ARTICLE V**

**OFFICERS**

**Section 1.**

The officers of the CSB shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. They shall serve in this capacity for a term of two years, and shall be elected from the membership of the CSB.

**Section 2.**

No later than the July meeting of the year in which the terms are expiring, the Chairperson will appoint a Nominating Committee consisting of at least three members of the CSB, none of whom shall be an officer for the year in which he or she serves on such a committee, to present to the full CSB at a meeting to be held in the month of September, a proposed slate of officers, consisting of a Chairperson, Vice-Chairperson, Secretary, and a fourth member of the Executive Committee to be known as Member At Large. Nominations may be made from the floor for any office.

**Section 3.**

**Duties of the Chairperson**

1. The Chairperson shall preside over all meetings of the CSB.
2. The Chairperson shall propose individuals to the Legislature for appointment by the Legislature to all committees and act as an ex-officio member of each.
3. When authorized by vote of the CSB, the Chairperson shall execute, in the name of the CSB, all documents and instruments relating to or disposing of property of the CSB.

**Duties of the Vice-Chairperson**

In the event of the absence, incapacity or inability of the Chairperson to exercise or perform the duties or powers incident to that office, such duties or powers shall be performed and exercised by the Vice-Chairperson and other such duties as may be directed by the CSB until an election is held to fill the vacancy.

**Duties of the Secretary**

The Secretary shall be responsible, in conjunction with the Chairperson and the
Albany County Director of Mental Health, for the compiling of the CSB Meeting agendas, reviewing the minutes of meetings taking by the recording secretary and ensuring the agendas and minutes are posted to the Albany County website pursuant to Resolution 220(a) for 2016. The Secretary shall be responsible for giving notice of all meetings to CSB members and perform such other duties as may be required by the Chairperson of the CSB. In the absence of the Chairperson and Vice-Chairperson, the Secretary will serve as Chairperson of CSB meetings.

ARTICLE VI
MEETINGS

Section 1. Organizational meetings shall be held at the regular meeting to be held during the month of September per Article V, Section II.

Section 2. Regular meetings of the full CSB shall be held bi-monthly at a time and place to be designated by the Chairperson that is reasonably convenient and accessible to CSB Board members. The required regular meetings shall be held in January, March, May, July, September, and November of each calendar year. The Chairperson may vary this schedule depending on the amount of business before the CSB.

Section 3. Special meetings of the CSB may be called at any time by the Chairperson. Notice of such special meetings will be given to the office or home of each member of the CSB, in writing, by phone, or by e-mail at least 48 hours prior to the time of such meeting. Said notice shall consist of the time and place of the meeting and an agenda of the business to be conducted at such meeting. No business other than that specified in the notice of the meeting shall be transacted at any special meeting of the CSB. Special meetings may also be called by the Secretary upon the written request of three members of the CSB. The notice requirements for special meetings called by the Secretary shall be the same as the notice requirements for special meetings called by the Chairperson.

Section 4. An agenda shall be prepared for each meeting. Agenda items shall be submitted for inclusion at least 48 hours before meetings. The completed, proposed agenda shall be reviewed with the Chairperson and posted on the Albany County website by the Secretary prior to the meeting.

Section 5. A quorum for doing business at regular CSB meetings and all subcommittees shall consist of a majority of members currently appointed by the Legislature.

Section 6. All CSB meetings shall be open to the public and any individual representing the public wishing to address the CSB shall do so at the beginning of the meeting, after receiving permission from the Chairperson including the amount of time that such individual may speak. Executive sessions, at the determination of the Chairperson, may be called as necessary. Matters taken up in executive session
will be as permitted under the New York State Freedom of Information and Open Meeting Laws.

Section 7. Non-attendance at any four of the six regular meetings of the CSB during the calendar year shall be considered a resignation from the CSB. Notice will be given to a member after non-attendance at three meetings. On petition from a CSB member so excluded, the CSB may vote to make an exception on individual cases where there are circumstances such as accident, prolonged illness, or other situations that are determined to be exceptional or unavoidable. If unable to attend a CSB meeting, members should notify the Director’s office.

Section 8. Meetings of the three subcommittees shall be held monthly or bi-monthly or at the call of the respective Chairperson. Non-attendance of any four of the regular meetings of the subcommittee during the calendar year shall be considered a resignation from the Committee. Notice will be given to a member after non-attendance at three meetings. If unable to attend subcommittee meeting, member should notify the Director’s office.

ARTICLE VII
COMMITTEES

Section 1. The CSB shall have an Executive Committee comprised of its officers and the Member At Large. The quorum for an Executive Committee shall consist of three members present. The Executive Committee shall act on behalf of the CSB when immediate action is needed. It will meet at the call of the Chairperson or any two other members of the Committee.

Section 2. The CSB shall have three standing subcommittees; a Mental Health Subcommittee, a Developmental Disabilities Subcommittee and an Alcohol and Substance Abuse Subcommittee. Each subcommittee shall consist of a maximum of 9 members, three of whom shall be members of the CSB. CSB members of each subcommittee shall be proposed by the Chairperson of the CSB, shall be submitted to the Legislature for appointment. The process for non-CSB members shall begin at their respective subcommittees, and once proposed by the CSB, shall be submitted to the Legislature for appointment.

Section 3. Each subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of persons with mental disability, and shall include former patients, parents or relatives of such persons with mental disability, and community agencies servicing such persons. All appointments will be made after taking into consideration the respective subcommittee members’ interest and background with the intent that each subcommittee will represent its respective constituency. It will be the responsibility of each subcommittee to contribute to and oversee their respective part of the planning process resulting in the annual plan for mental health, developmental disabilities, and alcohol and substance abuse services for Albany County that includes both State and local service providers. To this end, it is the responsibility of subcommittee members to keep abreast of their respective area,
to review, monitor and evaluate State and local services and to address all policy issues under its purview. It shall also be the responsibility of the subcommittees to report back to the CSB on its activities and recommendations through their respective chairmen and through CSB members serving on these committees. In any case, where the majority of recommendations of a non-CSB member are opposed to those of the CSB members, a report of such positions will be given along with the CSB members’ recommendations. When it is deemed appropriate by the Chairperson of such subcommittee, non-CSB members shall be invited to CSB meetings to address specific concerns.

Section 4

The Chairpersons of each subcommittee shall be proposed by the Chairperson of the CSB, and shall serve a term concurrently with the term of the Executive Committee.

Section 5.

Revisions to tenures of membership of subcommittees to conform with Section 41 of the Mental Health Law will be enacted as needed by the CSB.

As vacancies arise or terms expire, the subcommittees may submit names of individuals to the CSB regarding the respective subcommittee. The CSB, in turn, may propose individuals to the Legislature for appointment.

ARTICLE VIII

PARLIAMENTARY PROCEDURES

Section 1.

These bylaws may be amended at any meeting of the CSB by an affirmative vote of 2/3 of the members present and voting, provided that the amendment has been presented in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon. All amendments to these By-Laws are subject to the approval of the Albany County Legislature.

Section 2.

These bylaws may be amended at any meeting of the CSB without prior written notice on the unanimous approval of all members of the CSB present and voting.

Section 3.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the CSB in all cases to which they are applicable and which they are not inconsistent with the bylaws and any special rules of order the CSB may adopt.

ARTICLE IX

AMENDMENTS

Any amendment to these Bylaws is subject to the approval of the County Legislature. The CSB may propose amendments to the County Legislature that have been approved by a vote of 2/3 of the total membership of the CSB after presentation in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon or upon the consent of all voting members of the CSB.
July 22, 2019

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

Dear Mr. Joyce:

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

Legislative approval is required in order to allow the Albany County Sheriff’s Office to accept grant funding from the New York State Canal Corporation as reimbursement for expenses related to patrolling the waterways within Albany County which are contiguous to the New York State Canal System. The award is for $6,000.00 with a $2,000.00 match.

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

The authorization to apply for this grant is found in RLA 19-271.

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

Sincerely,

Craig D. Apple Sr.
Sheriff

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

DATE: JULY 23, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF'S DEPT

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

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

TO ACCEPT GRANT FUNDS FROM THE NYS CANAL CORP FOR THE PERIOD OF 4/1/19 - 3/31/20 AND ENTER INTO A CONTRACT WITH THE NYS CANAL CORP.

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

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

STATE THE FOLLOWING:

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

NYS CANAL CORP.
30 SOUTH PEARL STREET, ALBANY, NY 12207

AMOUNT/RATE SCHEDULE/FEE:
$ 6,000 WITH A COUNTY MATCH OF $2,000.

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

SCOPE OF SERVICES: NYS CANAL CORP MATCH GRANT PROGRAM

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES X NO

FUNDING SOURCE: NYS CANAL CORPORATION

COUNTY BUDGET ACCOUNTS:

REVENUE: A3110.03315

APPROPRIATION: PERSONNEL EXPENSE LINES

BOND (RES. NO. & DATE OF ADOPTION)

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE: YES NO X

IF MANDATED CITE AUTHORITY

ANTICIPATED IN CURRENT ADOPTED BUDGET: YES X NO

IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS:

A33110.03315

FISCAL IMPACT - FUNDING: (DOLLARS OR PERCENTAGES)

FEDERAL

STATE 75%

COUNTY 25%

TERM/LENGTH OF FUNDING

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER: 19-271

DATE OF ADOPTION: 7/8/2019

JUSTIFICATION: (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

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

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

SUBMITTED BY: CRAIG D APPLE SR

TITLE: SHERIFF
June 27, 2019

Albany County Sheriff's Office  
Attn: Sheriff Craig D. Apple  
County Court House  
Albany, NY 12207

Re: 2019-20 Marine Patrol Grant

Dear Sheriff Apple,

Congratulations! I am pleased to inform you that your application for the New York State Canal Corporation Marine Patrol Matching Grant Program has been selected and approved for the requested amount of $6,000 in reimbursable funding from the NYS Canal Corporation.

The term of the contract will run from April 1, 2019 thru March 31, 2020. To make your award final, it will be necessary to execute a contract between the Albany County Sheriff's Office and the NYS Canal Corporation. That contract is enclosed. The contract must be approved and signed by both parties before any reimbursement can be provided. Receipts and other supporting documentation will be required in order to process any reimbursement.

If you have any questions or concerns regarding this grant, please contact John Joyce at (518) 449-6006 or john.joyce@canals.ny.gov.

Once again, congratulations on your selection.

Sincerely,

Brian U. Stratton  
Director

Enclosure
August 12, 2019

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

Dear Mr. Joyce:

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

Legislative approval is required in order to allow the Albany County Sheriff’s Office to enter into a grant application with the State of New York, Division of Homeland Security and Emergency Services, for the 2019 Statewide Interoperability Communications Grant - Formula Based funding.

Awarded funds are based on data entered into a DHSES formula. This is a no match grant of which funding will be utilized to build on to the Albany County, County Wide, 911 Interoperable Communications System. The performance period for this grant is January 1, 2020 through December 31, 2022. This grant was previously authorized under resolution 18-417 and 18-588, attached hereto.

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

Sincerely,

Craig D. Apple, Sr.
Sheriff

cc: Hon. Daniel P. McCoy, County Executive
    Hon. Paul Miller, Public Safety Chairman
    Hon. Wanda Willingham, Audit & Finance Committee
    Kevin Cannizzaro, Esq., Majority Counsel
    Arnis Zilgme, Esq., Minority Counsel

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REQUEST FOR LEGISLATIVE ACTION

DATE: AUGUST 12, 2019

DEPARTMENT: ALBANY COUNTY SHERIFF'S DEPT

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

DEPT. REPRESENTATIVE ATTENDING COMMITTEE MEETING:

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

TO APPLY FOR THE 2019/2020 STATEWIDE INTEROPERABILITY COMMUNICATIONS GRANT (SICG19)
AND SUBMIT A GRANT APPLICATION TO THE STATE OF NEW YORK DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES.

CONCERNING BUDGET AMENDMENTS

STATE, THE FOLLOWING
INCREASE ACCOUNT/LINE NO.
SOURCE OF FUNDS:
TITLE CHANGE:

CONCERNING CONTRACT AUTHORIZATION,
STATE THE FOLLOWING:

TYPE OF CONTRACT
CHANGE ORDER/CONTRACT AMENDMENT
PURCHASE (EQUIPMENT/SUPPLIES)
LEASE (EQUIPMENT/SUPPLIES)
REQUIREMENTS
PROFESSIONAL SERVICES
EDUCATIONAL/TRAINING
GRANT: NEW X RENEWAL
SUBMISSION DEADLINE DATE 9/9/2019

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

STATE THE FOLLOWING:

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

JOHN P MELVILLE, COMMISSIONER
DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES
1220 WASHINGTON AVENUE, BLDG 7A, SUITE 710, ALBANY 12242

AMOUNT/RATE SCHEDULE/FEE:
UNKNOWN - FORMULA BASED FUNDING

TERM: 1/1/20 - 12/31/22

SCOPE OF SERVICES: THE FUNDING WILL BE UTILIZED TO BUILD ON TO
THE COUNTY WIDE 911 COMMUNICATIONS SYSTEM

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES NO X
FUNDING SOURCE: NYS DIVISION OF HOMELAND SECURITY

COUNTY BUDGET ACCOUNTS:
REVENUE: A33110.03306 - HOMELAND SECURITY

APPROPRIATION: A93110.2.2100- COMMUNICATION EQUIPMENT
BOND (RES. NO. & DATE OF ADOPTION)

CONCERNING ALL REQUESTS:

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

FISCAL IMPACT - FUNDING: (DOLLARS OR PERCENTAGES)
FEDERAL
STATE 100%
COUNTY
TERM/LENGTH OF FUNDING 1/1/20 THRU 12/31/22

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER: 18-417 COPY ATTACHED
DATE OF ADOPTION: 9/12/2018

JUSTIFICATION: (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

IF WE ARE AWARDED THIS GRANT, IT WILL HELP OFFSET SOME OF THE COSTS
ASSOCIATED WITH OUR 911 INTEROPERABLE COMMUNICATIONS SYSTEM

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

SUBMITTED BY: CRAIG D APPLE SR
TITLE: SHERIFF
NYS Division of Homeland Security and Emergency Services
Office of Interoperable and Emergency Communications
Announces the
2019 Statewide Interoperable Communications Formula-Based Grant Program
(2019 SICG-Formula Program)

The NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, is pleased to announce the 2019 Statewide Interoperable Communications Formula-Based Grant Program (2019 SICG-Formula Program) to aid localities in making necessary improvements and provide for sustainment of Land Mobile Radio Systems (LMR), maintenance of components supporting interoperability, continuous training and exercise, sustainment and further development of governance structure.

Purpose: The 2019 SICG-Formula Program will focus on further minimizing gaps in interoperable communications by aligning technology acquisitions with operational use by first responders, which provides the foundation necessary to accomplish a high level of interoperability. The grant program will concentrate on improving interoperability and operability of communication systems in New York State.

Eligible Applicants: County governments, requesting funding for the benefit of the county as a single entity. Additional eligibility criteria are listed in the 2019 SICG-Formula Program Request for Applications.

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

Total Funding Available for 2019 SICG-Formula: $45 Million

Schedule of Events:

- Submission of Written Questions: August 23, 2019
- Request for Applications Updates (if any): August 30, 2019
  Applications Due: September 9, 2019 by 5:00 P.M.

All Documents for this RFA may be found on the OIEC Grants Home Page: [http://www.dhser.ny.gov/oiec/grants/](http://www.dhser.ny.gov/oiec/grants/)
Frequently Asked Questions concerning the RFA are also located on the OIEC Grants Home Page: http://www.dhsses.ny.gov/oiec/grants/ under “FAQ” tab.

Requirements for Submission: Please note that all applications will be required to be submitted through our E-Grants system. An step-by-step tutorial has been posted along with the application materials for your reference. As always if there are any questions throughout the application process, please contact our Grants hotline via phone at 866-837-9133 or e-mail our Grant Info box at grant.info@dhsses.ny.gov.

Contact Information:

- Grant Administrator
  Office of Interoperable and Emergency Communications
  NYS Division of Homeland Security and Emergency Services
  1220 Washington Avenue, Building 7A, Suite 710
  Albany, NY 12242

E-mail: Grant.Info@dhsses.ny.gov