

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231-0001

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Rensselaer

Local Law No. 1 of the year 2000

A local law providing for the mandatory routing of all 911 calls.
(Insert Title)

By: Durkee, Walsh, Polsinello

Be it enacted by the Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section One. Title. This local law shall be known as the Rensselaer County Wireless 911 Call Routing Law.

Section Two. Authority. This local law is enacted pursuant to the authority granted to the County of Rensselaer under the provisions of Section 10 of the Municipal Home Rule Law of the State of New York, Article IX of the Constitution of the State of New York, the County Law of the State of New York and all other relevant statutory and decisional law.

Section Three. Legislative Findings and Declaration of Intent. The County Legislature of the County of Rensselaer recognizes the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that in circumstances in which the lives or property of its citizens are in imminent danger, appropriate assistance must be rendered as expeditiously as possible.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

This legislative body further recognizes that such emergency assistance is frequently and increasingly summoned by wireless communications, including but not limited to cellular phones. When such wireless 911 calls originating within Rensselaer County are routed anywhere other than directly to the Rensselaer County 911 Center, operating under the jurisdiction of the Rensselaer County Bureau of Public Safety, unintentional, though avoidable, delays in dispatching emergency assistance occur, jeopardizing lives and property.

This legislative body further finds that a major obstacle to providing an immediate response to wireless requests for emergency assistance in Rensselaer County is the failure of one or more wireless telephone service suppliers to directly route such calls to the Rensselaer County 911 Center.

This legislative body further finds that the Rensselaer County 911 Center has the most accurate, current and extensive knowledge of Rensselaer County's geography, roadways, landmarks, emergency service resources and related information, all of which is of critical importance in emergency situations and can assist in the immediate dispatch of emergency services of the type and scope as may be required in any such situation.

By reason of all of the foregoing, the County Legislature of the County of Rensselaer hereby declares that it is its intent, by the enactment of this local law, to provide for the health, safety and well-being of the people of this County by mandating the direct routing of all wireless 911 calls originating within the County to the Rensselaer County 911 Center in order to facilitate the dispatch of emergency services as expeditiously and effectively as possible.

Section 4. Definitions. For the purposes of this local law, the following terms shall have the following meanings:

- a. "Wireless telephone service" means all commercial mobile services, as that term is defined in Section 332(d) of Title 47, United States Code, including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service which is interconnected with the public switched telephone network.
- b. "Wireless telephone supplier" means any corporation or person as defined in Section 1080 of the Tax Law of the State of New York which provides wireless telephone service in New York State.

c. "Rensselaer County 911 Center" means the site designated and operated by the County of Rensselaer through its Bureau of Public Safety for the purpose of receiving emergency calls, including those from a wireless telephone service, and dispatching emergency services.

Section 5. Routing. All wireless telephone service suppliers doing business in the County of Rensselaer shall route all 911 emergency calls originating within the County of Rensselaer to the Rensselaer County 911 Center.

Section 6. Prohibited Acts. For the purposes of this local law, the following shall be deemed to be prohibited acts within the meaning and intent hereof:

- a. No wireless telephone service supplier shall knowingly fail to route wireless 911 calls originating within the County of Rensselaer to the Rensselaer County 911 Center as required under Section 5 of this local law.
- b. No owner, official, employee or agent of any wireless telephone service supplier shall design, implement, arrange or cause, either directly or indirectly, a process or activity whereby 911 calls are routed other than as provided under Section 5 of this local law.
- c. No person or entity shall directly or indirectly solicit, suggest, implore, agree or otherwise take any action so as to cause or seek to cause a wireless telephone service supplier to route wireless 911 calls originating within the County of Rensselaer to any point or location other than the Rensselaer County 911 Center.

Section 7. Penalties. Any person or entity committing a prohibited act within the meaning and intent of Section 6 of this local law shall be guilty of an unclassified misdemeanor and subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) and/or to a period of confinement in the Rensselaer County Correctional Facility for a period not to exceed three (3) months for each such offense. For the purposes of this local law, each improperly routed wireless 911 call shall be deemed a separated offense hereunder.

Section 8. Civil Remedy. In addition to any penalty imposed pursuant to the provisions of Section 7 of this local law, any wireless telephone service supplier which commits a prohibited act within the meaning and intent of Section 6 of this local law shall be civilly liable for any damages attributable to any death, injury or property damage resulting from the commission of such prohibited act.

Section 9. Separability. If any provision of this local law shall be determined to be invalid by any court of competent jurisdiction, such determination shall not affect, impair or invalidate the remainder hereof, which shall continue in full force and effect.

Section 10. Effective Date. This local law shall take effect thirty (30) days following the filing hereof with the Secretary of State of the State of New York.

Local law ADOPTED by the following vote:

Ayes: 18

Nays: 0

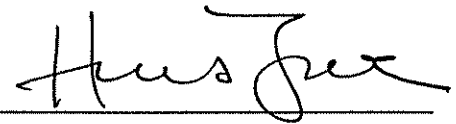
Abstain: 0

February 8, 2000

CONFIDENTIAL

Approved by the County Executive

Dated: 2-18-00



Henry F. Zwack
County Executive

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Rensselaer

Local Law No. 2 of the year 2000

A local law Amending Local Law No. 2 of the year 1989, as amended by the Local Law
(Insert Title)
No. 2 of the year 1992, as amended by Local Law No. 4 of the year 1994.

By: Mirch, Mahoney

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

SECTION 1. Section 2 (12) of Local Law No. 2 of the year 1989, as amended by Local Law No. 2 of the year 1992, as amended by the Local Law No. 4 of the year 1994 is hereby amended to read as follows:

12. "Party Officer" means the Chairperson, Secretary, Vice Chairperson, 1st Vice Chairperson and Treasurer, or the equivalent officers by whatever name known, of any party, as that term is defined by Sec 1-104(3) of the Election Law.

SECTION 2. Effective Date

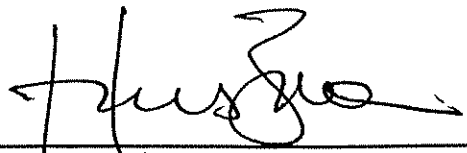
This Act shall take effect immediately upon filing with the Secretary of State.

Local law ADOPTED by the following vote:

Ayes: 16
Nays: 0
Abstain: 0
March 14, 2000

Approved by the County Executive

Dated: 3/28/00


Henry F. Zwack
County Executive

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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RENSSELAER COUNTY EXECUTIVE

County of Rensselaer

Local Law No. 3 of the year 2000

A local law electing a retirement incentive program as authorized by Chapter 86,
(Insert Title)
Laws of 2000 for the eligible employees of the County of Rensselaer,
New York.

By: Kelleher

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

- §1. The County of Rensselaer, New York hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 86, Laws of 2000.
- §2. The commencement date of the retirement incentive program shall be October 3, 2000.
- §3. The open period during which eligible employees may retire and receive the additional retirement benefit, shall be ninety (90) days in length.
- §4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Rensselaer, New York for each employee who receives the retirement benefits payable under this local law.
- §5. This act shall take effect September 1, 2000.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Local law ADOPTED by the following vote:

Ayes: 18

Nays: 0

Abstain: 0

August 8, 2000

Approved by the County Executive

Dated: 8/23/2000



Henry F. Zwack
County Executive

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
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RENSSELAER COUNTY, NY

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Rensselaer

Local Law No. 4 of the year 2000

A local law to prohibit sale or distribution of herbal cigarettes to minors within

(Insert Title)

Rensselaer County.

By: Bauer, Durkee, Mahoney

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the sale of herbal cigarettes is unregulated and not subject to taxation.

This Legislature further finds that lighting and inhaling herbal cigarettes releases tar, carbon monoxide, and other cancer-causing agents into the lungs.

This Legislature further finds and determines that herbal cigarettes pose a serious threat to the health of our children and the general public because they have been represented as a "healthy alternative" to cigarettes containing tobacco, as a method to stop smoking, and as an acceptable substitute to smoke-all false and misleading representations.

This Legislature also finds and determines that, because these cigarettes contain mint, catnip, or wild lettuce, but not tobacco, they can legally be sold to minors who find them additionally appealing because they are less expensive and easier to purchase.

This Legislature also determines that children who smoke herbal cigarettes can easily become accustomed to the sensation of inhaling, thereby making it easier to graduate to tobacco-based cigarettes.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Therefore, the purpose of this law is to ban the sale and/or distribution, without charge, of herbal cigarettes to minors within the County of Rensselaer.

Section 2. Definitions.

(a) "Herbal cigarette" shall mean any roll of cut herbs, including but not limited to the substances commonly known as ginseng, jasmine and catnip, intended to be smoked and enclosed in a paper wrapper.

(b) "Person" shall mean any natural person, partnership, corporation, government agency, association, other legally defined entity or any combination of individuals and corporations, by whatever means organized.

Section 3. Sale to Minors Prohibited.

No person within Rensselaer County shall sell or distribute to a consumer under the age of eighteen (18) years any herbal cigarette.

Section 4. Enforcement.

The Rensselaer County Sheriff's Department, any other law enforcement agency whose jurisdictional area includes all or part of Rensselaer County, and any person designated by the Rensselaer County Director of Health is authorized to issue any person found in violation of this local law a notice of violation to appear before a hearing officer designated by the Rensselaer County Director of Health. The Rensselaer County Director of Health is authorized to enforce the provisions of this local law by administrative proceedings held in accordance with the provisions of Article 1 of the Rensselaer County Sanitary Code.

Section 5. Penalties.

Any person found to be in violation of this local law shall be liable for civil penalty of not more than Two Hundred and Fifty (\$250.00) Dollars for the first violation, and not more than Five Hundred (\$500.00) Dollars for each subsequent violation committed within a two-year period of the last prior violation.

Section 6. Effective Date.


This local law shall take effect on October 1, 2000.

Local law ADOPTED by the following vote:

Ayes: 18
Nays: 0
Abstain: 0
August 8, 2000

Approved by the County Executive

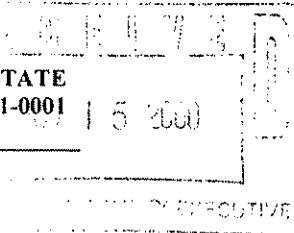
Dated: 8/23/2000



Henry F. Zwack
County Executive

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County of Rensselaer

Local Law No. 5 of the year 2000

A local law Amending Local Law No. 6 of 1999
(Insert Title)

By: Bauer

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section 1. Legislative Intent

The County Legislature finds and determines that the availability of herbal cigarettes in self-service displays and open store shelves results in the same problems as the availability of tobacco products. Therefore, the purpose of this local law is to include the prohibition of the self-service sale of herbal cigarettes in Rensselaer County by hereby amending Local Law No. 6 of the year 1999 as follows:

Title: A Local Law prohibiting self-service sale of tobacco products and herbal cigarettes

Section 1. Legislative Findings.

The County Legislature hereby finds that placement of tobacco products and herbal cigarettes in self-service displays and open store shelves enables shoplifting to occur and that the use of vending machines where those less than eighteen years of age congregate allows for the illegal purchase of tobacco products by minors. To prevent these problems, tobacco products and herbal cigarettes should be placed behind store counters or otherwise stored or displayed in a secure location accessible only to vendors and their employees, and vending machines should be placed only in areas where there is direct supervision by management of the establishment, thereby limiting access to persons under the age of 18.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 2. Purpose.

It is the purpose of this local law to aid enforcement of laws prohibiting the sale of tobacco products and herbal cigarettes to minors, to reduce minors access to tobacco and herbal cigarettes, and to reduce the incidence of minors shoplifting tobacco products and herbal cigarettes by eliminating open-access displays and increasing the sales clerk and management interaction during the sale transaction.

Section 3. Definitions

For the purpose of this local law:

- a. "Person" shall mean any natural person, partnership, corporation, government agency, association, other legally defined entity or any combination of individuals and corporations, by whatever means organized.
- b. "Tobacco product" shall mean cigarettes, smokeless tobacco, cigarette tobacco, powdered tobacco, snuff, pipe tobacco, and cigars.
- c. "Herbal cigarette" shall mean any roll of cut herbs, including but not limited to the substances commonly known as ginseng, jasmine and catnip, intended to be smoked and enclosed in a paper wrapper.

Section 4. Self Service Sale Restrictions.

It shall be unlawful for any person to display or store tobacco products and herbal cigarettes for sale, storage, or distribution without charge, in a manner which permits the purchaser or recipient of tobacco products and herbal cigarettes direct access or self service to the tobacco products and herbal cigarettes.

Section 5. Exemption.

The provisions of Section 4 of this local law shall not be applicable to the sale of tobacco products and herbal cigarettes otherwise permissible pursuant to the provisions of Section 1399-dd of the Public Health Law.

Section 7. Penalties.

Any person found to be in violation of this local law shall be liable for civil penalty of not more than Two Hundred and Fifty (\$250.00) Dollars for the first violation, not more than Five Hundred (\$500.00) for each subsequent violation committed within a two-year period of the last prior violation.

Any penalty imposed and collected pursuant to this local law shall be remitted to the Rensselaer County Health Department and used by the Department for the adolescent tobacco and herbal cigarette use prevention and control efforts of the Department.

Section 2. Effective Date.

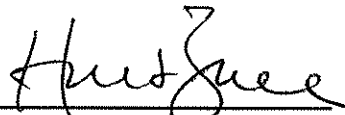
This local law shall become effective ninety (90) days after the filing of this local law with the Secretary of State of the State of New York pursuant to the applicable provisions of the Municipal Home Rule Law of the State of New York.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
November 14, 2000

Approved by the County Executive

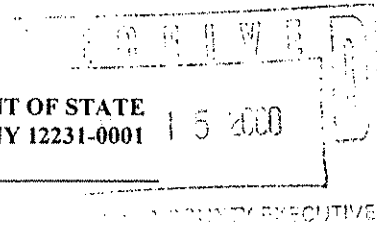
Dated: 11/29/00



Henry F. Zwack
County Executive

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County of Rensselaer

Local Law No. 6 of the year 2000

A local law making a Gold Star Parent eligible for the veterans alternative exemption.
(Insert Title)

By: Vartigian, Kelleher, Swartz, Bauer, Brearton, Brownell, Durkee, Engel, Herrington, Jimino, Mirch, Reid, VanDeusen, Walsh, Polsinello, Hammond, Dedrick, Mahoney, McGreevy

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section 1. Legislative Intent

- a. The purpose of this Local Law is to make a Gold Star Parent eligible for the veterans alternative exemption as authorized by Chapter 326 of the laws of New York for 2000.
- b. Chapter 326 of the laws of New York for 2000 amended section 458-a of the New York State Real Property Tax Law by adding a new subdivision (7) making a Gold Star Parent eligible for the veterans alternative exemption.
- c. In addition to the veterans alternative exemption currently authorized pursuant to section 458-a of the New York State Real Property Tax Law, property owned by a Gold Star Parent will now be included within the definition of "qualifying residential real property" as provided in paragraph (D) of subdivision (1) of section 458-a of New York State Real Property Tax Law.
- d. An otherwise qualified Gold Star Parent will be eligible to receive the veterans alternative exemption, provided that the exemption shall only be applied to the primary residence of the Gold Star Parent.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 2. Definition

As used in this subdivision, a Gold Star Parent shall mean the parent of a child who died in the line of duty while serving in the United States Armed Forces during a period of war.

Section 3. Exclusions

The additional exemption provided for in paragraph (c) subdivision (2) of section 458-a, shall not apply to real property owned by a Gold Star Parent.

Section 4. Effective Date


This local law shall take effect upon filing with the Secretary of State and the Comptroller of the State of New York and shall apply to assessment rolls prepared having a taxable status date occurring on or after January 1 of the year next succeeding the date when this law takes effect.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
November 14, 2000

Approved by the County Executive

Dated: 11/29/00



Henry F. Zwack
County Executive

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231-0001

15 2000

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County of Rensselaer

Local Law No. 7 of the year 2000

A local law amending Local Law No. 3 of 1999, as amended by Local Law No. 5 of 1999
(Insert Title)

By: Jimino

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section 1.

This Legislature finds that in order to comply with certain requirements as set forth by the New York State Division of Criminal Justice Services, sections of the County of Rensselaer Local Law No. 3 of 1999 entitled "A Local Law Requiring Criminal Background Checks on Certain Individuals Providing Services to Rensselaer County Residents", as amended by Local Law No. 5 of 1999 must be amended. Further, Chapter 416 of the Laws of New York, 2000 amends the social services law by requiring the Office of Children and Family Services to conduct a criminal history review of child care providers. This amendment renders certain procedures described in the County of Rensselaer Local Law No. 3 of 1999 entitled "A Local Law Requiring Criminal Background Checks on Certain Individuals Providing Services to Rensselaer County Residents", as amended by Local Law No. 5 of 1999, invalid.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Local Law No. 3 of 1999 as amended by Local Law No. 5 of 1999 is amended as follows:

Section 2.

Subdivision A of Section 1 is deleted and replaced with the following:

A. This Legislature finds and determines that to protect the health, safety, and welfare of persons receiving nursing home care or home care services, that Rensselaer County and any person, corporation, or other entity seeking to contract with the County on or after the effective date of this Local Law to provide such services must require all employees and prospective employees who will be assigned to clients under the supervision of Rensselaer County to be licensed by being fingerprinted and having their criminal history record reviewed.

Subdivision C of Section 1 is deleted, and replaced with the following:

C. Accordingly, the purpose of this Local Law is to provide authority for the fingerprinting and criminal history record checks of nursing home, home care service provider employees and prospective employees who will be assigned to clients under the supervision of Rensselaer County prior to Rensselaer County entering into a contractual relationship with said service Providers by requiring all such providers and provider personnel to be licensed by Rensselaer County.

Section 3.

Section 2 of said Local Law is amended as follows:

The definition of PROVIDER is deleted and replaced with the following definition:

PROVIDER - Any person, corporation, or other entity seeking to contract with the County of Rensselaer to provide nursing home services or home care services on or after the effective date of this Local Law.

The definition of DAY CARE SERVICES is deleted.

The definition of PROVIDER PERSONNEL, is deleted and replaced with the following definition:

PROVIDER PERSONNEL - Any employee of Rensselaer County and any home care service providers and prospective employees who will be assigned to clients under supervision of Rensselaer County. The term "Employee" shall include management, corporate officers, agents, interns, public assistance recipients assigned to work projects, and auxiliary workers who come into regular, constant, routine, patterned contact with persons receiving home care services, or persons receiving nursing home services.

Section 4.

Section 8 of said Local Law is amended by adding an additional paragraph as follows:

Notwithstanding any provision of this Local Law, a conviction which would otherwise disqualify a Provider Personnel from licensing herein shall not preclude such person from being licensed if such disqualification has been removed pursuant to the provision of Article 23-A of the Corrections Law.

Section 5.

Section 10 of said Local Law is deleted and replaced with the following:

Section 10 Effective Date

This law shall take effect March 1, 2000 and shall apply to all entities or persons contracting with the County of Rensselaer to provide nursing home services or home care services on or after said date and shall further apply to all Rensselaer County employees providing such services hired on or after such date.

Section 6.

Schedule A of said Local Law is deleted and replaced with the following:

Schedule A

A Provider Personnel shall be permanently disqualified if that person has been convicted of a violation of any of the following sections of the Penal Law:

100.13, 105.17, 115.08, 120.01, 120.10, 120.11, 120.12, 120.30,
125.12, 125.15, 125.20, 125.25, 125.27, 130.30, 130.35, 130.45,
130.50, 130.65, 130.66, 130.67, 130.70, 130.75, 130.80, 135.20,
135.25, 135.50, 135.55, 150.20, 155.40, 155.42, 156.27, 160.15,
220.18, 220.21, 220.39, 220.41, 220.43, 220.44, 260.00, 260.25
260.32, 260.34, 263.05, 263.10, 263.11, 263.15, 263.16, 265.04.

A Provider Personnel shall be disqualified for a period of five years if that person has been convicted of a violation of any of the following sections of the Penal Law:

- 100.08, 100.10, 105.10, 105.15, 115.01, 115.05, 120.03, 120.04,
- 120.05, 120.06, 120.07, 120.08, 120.13, 120.14, 120.25, 125.13,
- 125.40, 125.45, 130.20, 130.25, 130.40, 130.60, 135.10, 135.65,
- 140.17, 140.20, 140.25, 140.30, 145.05, 145.10, 145.12, 145.20,
- 145.45, 150.10, 150.15, 155.25, 155.30, 155.35, 156.25, 156.26,
- 158.05, 158.10, 158.15, 158.20, 158.25, 158.35, 158.40, 158.45,
- 158.50, 160.05, 160.10, 165.45, 165.50, 165.52, 165.54, 178.15,
- 178.20, 178.25, 190.26, 190.65, 220.06, 220.09, 220.16, 190.60,
- 220.03, 220.31, 220.34, 220.55, 220.60, 220.65, 221.20, 221.25,
- 221.30, 221.45, 221.50, 221.55, 230.00, 230.04, 230.05, 230.06,
- 230.20, 230.25, 230.30, 230.32, 235.05, 235.06, 235.07, 235.21,
- 235.22, 240.31, 240.46, 240.06, 240.60, 245.00, 260.06, 260.10,
- 260.20, 260.30, 265.01, 265.02, 265.03, 265.08, 265.09, 265.10,
- 265.11, 265.12, 265.13, 265.14, 265.16, 265.35.

Section 7. Effective Date

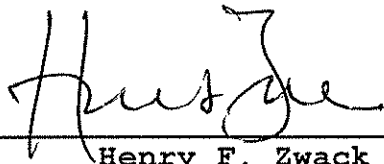
This law shall take effect immediately upon filing with the Secretary of State.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
November 14, 2000

Approved by the County Executive

Dated: 11/29/00



Henry F. Zwack
County Executive