

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. i of the year 2010

A local law For Enhanced Personal Privacy Protection for Documents Recorded in the
(Insert Title)

Office of the County Clerk, and Authorizing an Increase in Fees Collected by the County

Clerk for the Recording, Entering, Indexing and Endorsing a Certificate on Any

Instrument By: Kelleher

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

County of Rensselaer as follows:

Section 1. Title.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law".

Section 2. Declaration of Intent.

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Section 1 of Chapter 288 of the Laws of 2008, the Rensselaer County Legislature authorizes the Rensselaer County Clerk to increase the fees charged for certain documents recorded with the county clerk's office.

Section 3. Fees for Recording Documents.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security number or date of birth. To the extent that the Rensselaer County Clerk has placed an image of such cover page on line, the county clerk shall make a good faith effort to redact such information.

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

Section 4. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court or competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. Effective Date.

This local law shall take effect thirty days after filing in the office of the secretary of state pursuant to section 27 of the Municipal Home Rule Law.

Local Law ADOPTED by the following vote:

Ayes: 13


Nays: 5 (Fasoldt, Grimm, Harrington, O'Brien, Zweig)

Abstain: 0

December 17, 2009

Approved by the County Executive:

Dated: 1/4/10



Kathleen M. Jimino
County Executive

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County of Rensselaer

Local Law No. 2 of the year 2010

A local law to Repeal the Mortgage Recording Tax Imposed by Local Law No. 5 of the Year 2007 and Imposing a New Local Mortgage Tax on Obligations Secured by a Mortgage on Real Property

By: Reid

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

County of Rensselaer as follows:

Section 1. Local Law No. 5 of the year 2007, which imposed a county recording tax on obligations secured by a mortgage on real property situated in Rensselaer County, is hereby repealed. Such repeal shall not be retroactive in effect. The purpose of such repeal is to insure that the enactment of this local law pursuant to Section 253-1 of the Tax Law shall supersede Local Law No. 5 of the year 2007 and that there shall be an uninterrupted and continuous imposition of such mortgage tax.

Section 2. For the period commencing May 1, 2010, there is hereby imposed in the County of Rensselaer a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

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

(1)

Section 3. The tax imposed by this local law shall be administered, collected and paid as provided in Section 253-1 of the Tax Law and shall be in addition to the taxes imposed by Section 253 of the Tax Law, except that all references contained in Section 253-1 of the Tax Law to the "commissioner of finance of Rensselaer County" shall be deemed references to the Chief Fiscal Officer of Rensselaer County.

Section 4. This local law shall expire three years from the effective date hereof, provided further, however, that such expiration shall not preclude the adoption and enactment of additional local laws by the County of Rensselaer pursuant to the provisions of Section 253-1 of the Tax Law upon the expiration of this local law or any subsequent local law adopted and enacted pursuant to the provisions thereof.

Section 5. This local law shall take effect only on the first day of a calendar month, provided a certified copy hereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany, New York at least thirty days prior to the date this local law shall take effect. Certified copies of this local law shall also be filed with the Rensselaer County Clerk, the Secretary of State of the State of New York and the New York State Comptroller within five days after the enactment of this local law. This local law shall take effect May 1, 2010.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
April 13, 2010

Approved by the County Executive:

Dated: 4/19/10

Kathleen M. Jimino
Kathleen M. Jimino
County Executive

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County of Rensselaer

Local Law No. 3 of the year 2010

A Local Law Amending Section 2.03 of the Rensselaer County Charter, Clarifying
(Insert Title)
Qualifications for Membership to the Rensselaer County Legislature

By: Reid

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

County of Rensselaer as follows:

Be it enacted by the Legislature of the County of Rensselaer as follows:

Section 1. Legislative Intent. It is the intent of this Legislative Body to supersede New York State County Law § 411 as to allow County Legislators to serve as both County Legislators and as Town Councilpersons/Board Members, but not as Town Supervisors.

Section 2. Dual office holding to be allowed. Section 2.03 of the Rensselaer County Charter shall be and hereby is amended as follows, to wit:

Qualification. Each member shall, at the time of his or her nomination and election and throughout his term of office, be and remain a qualified elector of the district from which he or she is elected. Members shall be allowed, during the term of office, to simultaneously serve on local town boards as Town Councilpersons/Board Members, excluding Town Supervisors.

Section 3. Effective date. This local law shall take effect immediately upon its filing with the Office of the New York State Secretary of State.

Local Law ADOPTED by the following vote:

Ayes: 11

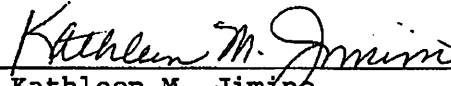
Nays: 6 (Cassidy, Fleming, Grimm, Manny, Rosamilia, Ryan)

Abstain: 2 (Cristo, Desso)

April 13, 2010

Approved by the County Executive:

Dated: 4/19/10


Kathleen M. Jimino
County Executive

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(1)

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County of Rensselaer

Local Law No. 4 of the year 2010

A local law to Prohibit Cyber-Bullying in Rensselaer County
(Insert Title)

By: Cristo, Desso, Fiacco, Danaher

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

County of Rensselaer as follows:

Be it enacted by the Legislature of the County of Rensselaer as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that bullying is a long-standing problem among school-aged children in Rensselaer County and throughout the nation.

This Legislature also finds and determines that, with the advent of technology, bullying has transformed from a predominately school-based issue to a broader societal problem.

This Legislature further finds and determines that cyber-bullying, which consists of non-physical bullying behaviors transmitted by electronic means, is the newest form of harassment.

This Legislature finds that cyber-bullying is rampant; forty two-percent (42%) of children in the fourth through eighth grade surveyed in a recent poll reported being bullied online.

This Legislature determines that cyber-bullying follows its victims everywhere they go and can occur at any time of the day or night, as it perpetrated online and/or through text and picture messages on cellular phones and handheld devices.

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

This Legislature also finds that perpetrators of cyber-bullying are often more extreme in the threats and taunts they inflict on their victims, as they do not actually see their victim's emotional reaction to the abuse and believe they are anonymous.

This Legislature further finds that victims of cyber-bullying suffer very real and serious harm as a result of these incidents, often showing signs of depression, anxiety, social isolation, nervousness when interacting with technology, low self esteem, and declining school performance.

This Legislature also determines that, in some cases, victims attempt or commit suicide in part because of the cyber-bullying they've endured.

This Legislature further determines that several states have enacted laws criminalizing cyber-bullying but, to date, the New York State Legislature has failed to address this problem.

This Legislature finds that Rensselaer County should do everything in its power to protect its school-aged residents from such reprehensible behavior.

Therefore, the purpose of this law is to ban the cyber-bullying of minors in the County of Rensselaer.

Section 2. Definitions.

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

"CYBER-BULLYING" shall mean engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communicating or causing a communication to be sent by mechanical or electronic means, posting statements on the internet or through a computer network. Acts of abusive behavior shall include, but not be limited to, taunting; threatening; intimidating; insulting; tormenting; humiliating; disseminating embarrassing or sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor; or sending hate mail.

"MINOR" shall mean any natural person or individual under the age of eighteen (18).

"PERSON" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

Section 3. Prohibitions.

No person shall engage in cyber-bullying against a minor in the County of Rensselaer.

Section 4. Penalties.

Any person who knowingly violates the provisions of this article shall be guilty of an unclassified misdemeanor punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

Section 5. Applicability.

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

Section 6. Reverse Preemption.

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this article, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Rensselaer. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this 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 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 judgment shall be rendered.

Section 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection.

Section 9. Effective Date.


This law shall take effect immediately upon its filing in the Office of the Secretary of State.

Local Law ADOPTED by the following vote:

Ayes: 18
Nays: 0
Abstain: 0
July 13, 2010

Approved by the County Executive:

Dated: 7/23/10



Kathleen M. Jimino
County Executive

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County of Rensselaer

Local Law No. 5 of the year 2010

A local law Electing a Retirement Incentive Program as Authorized by Chapter 105,
(Insert Title)
Laws of 2010 for eligible employees of Rensselaer County, New York

By: Reid

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

County of Rensselaer as follows:

Section 1. The County of Rensselaer, New York hereby elects to provide its employees with a retirement incentive program authorized by Chapter 105, Laws of 2010 and referred to as Part A.

Section 2. The commencement date of the retirement incentive program shall be September 1, 2010.

Section 3. The open period during which eligible employees may retire and receive the additional retirement benefits shall be ninety (90) days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five (5) 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.

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

(1)

Section 5. This act shall take effect on August 30, 2010.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
August 10, 2010

Approved by the County Executive:

Dated: August 18, 2010

Kathleen M. Jimino
Kathleen M. Jimino
County Executive