

Local Law(s)	
1 of 2018	Requiring Limits of Contaminants 1,4 Dioxane
2 of 2018	Adopt Certain Benefits Under Section 458-b of the Real Property Tax Law
3 of 2018 –	Declaring the Opioid Epidemic and Its Effects on the County of Rensselaer a Public Nuisance and Establishing a Cost Recovery Procedure for the County’s Expenditures Incurred in Providing Services Related To The Opioid Epidemic
4 of 2018	A Local Law To Repeal The Mortgage Recording Tax Imposed By Local Law No. 2 Of The Year 2010 And Impose A New Local Mortgage Tax On Obligations Secured By A Mortgage On Real Property

Local Law Filing

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001
www.dos.state.ny.us/corps

(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. J of the year 2017 2018

A local law Requiring Limits of Contaminant 1,4-Dioxane
(Insert Title)

By: Fiacco, Breselor, Doran

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

County of Rensselaer as follows:

1. Notwithstanding any provision of law to the contrary, no discharge of the contaminant 1,4-dioxane shall occur into the environment of Rensselaer County from any water treatment system on property in which the County has a fee simple ownership interest and which shall have been declared a State or Federal Superfund site where such discharge shall be in excess of 0.35 ppb.

2. The operator of the water treatment system shall be responsible for testing the water being discharged to determine the amount of 1,4-dioxane and reporting that to the County of Rensselaer Department of Health. The frequency of such testing shall be at the discretion of the Rensselaer County Department of Health but shall not be more often than weekly.

3. If a person or entity violates any rule or regulation promulgated pursuant to this local law relating to a temporary or permanent source or act of contamination, the Rensselaer County Department of Health may impose a civil penalty for the violation thereof or the noncompliance therewith, not exceeding one thousand dollars for each and every such violation or noncompliance.

Local Law ADOPTED by the following vote:

Ayes: 16

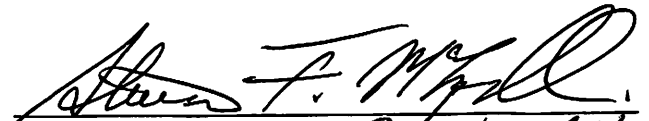
Nays: 0

Abstain: 0

December 12, 2017

Approved by the County Executive:

Dated: JANUARY 3RD, 2017


~~Kathleen M. Jimino~~ STEPHEN F. McLAUGHLIN
County Executive

LEGISLATIVE COUNCIL
LEGISLATIVE COUNCIL

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County of Rensselaer

Local Law No. 2 of the year 2018

A local law to Adopt Certain Benefits Under Section 458-b of the Real Property Tax Law

Authorizing an Alternative Tax Exemption for Cold War Veterans
(Insert Title)

By: _____

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

County of Rensselaer as follows:

SECTION 1: Pursuant to subsection 2(a) of Section 458-b of the New York State Real Property Tax Law, the County of Rensselaer hereby amends Local Law No. 2 of 2008 and adopts the qualifying residential real property exemption under subsection 2(a)(i) of Section 458-b of the NYS Real Property Tax Law, that is, an exemption in the amount of ten percent of the assessed value of such property, provided however, that such exemption, as permitted by subsection 2(c)(iii), shall not exceed Eight Thousand and XX/100 (\$8,000.00) Dollars or the product of Eight Thousand and XX/100 (\$8,000.00) Dollars multiplied by the latest state equalization rate of such property's assessing unit, such exemption to be subject to the definitions, limitations and requirements of Section 458-b.

SECTION 2: Pursuant to subsection 2(b) of Section 458-b of the Real Property Tax Law, the County of Rensselaer hereby adopts the qualifying residential real property exemption under subsection 2(b) of Section 458-b of the New York State Real Property Tax Law, that is, an exemption in the amount equal to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating, provided however, that such exemption as permitted by subsection 2(c)(iii) shall not exceed Forty Thousand and XX/100 (\$40,000.00) Dollars or the product of Forty Thousand and XX/100 (\$40,000.00) Dollars multiplied by the latest state equalization rate for the assessing unit.

SECTION 3: Pursuant to subsection 2(c)(iii) of Section 458-b of the New York State Real Property Tax Law, the exemption authorized shall apply to qualifying owners of qualifying real property in the County of Rensselaer for as long as they remain qualifying owners, without regard to any ten year limitation.

SECTION 4: If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof, but shall be confined to its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall have been rendered.

SECTION 5: This Local Law shall take effect immediately upon its filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this local law.

Local Law ADOPTED by a roll call vote:

Ayes: 19


Nays: 0

Abstain: 0

Date: March 13, 2018

Approved by the County Executive:

Dated: 3/27/18



Steven F. McLaughlin
County Executive

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Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
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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. 3 of the year 2018

A local law Declaring the Opioid Epidemic and Its Effects on the County of Rensselaer a Public Nuisance and Establishing a Cost Recovery Procedure for the County's Expenditures Incurred in Providing Services Related To The Opioid Epidemic

(Insert Title)

By: Bendett, Casale, Doran

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

County of Rensselaer as follows:

SECTION 1: TITLE. This Local Law shall be known as "a Local Law Declaring the Opioid Epidemic and Its Effects on the County Of Rensselaer a Public Nuisance, and Establishing a Cost Recovery Procedure For The County's Expenditures Incurred in Providing Services Related To The Opioid Epidemic".

SECTION 2: PURPOSE AND INTENT. The opioid epidemic is sweeping the country. Addiction to and abuse of opioids is one of the greatest challenges facing the County of Rensselaer, New York (the "County"). A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this Local Law is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such

services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

SECTION 3: DEFINITIONS. (a) "Costs" means all expenditures related to the opioid epidemic that directly or indirectly arise from the County's response to a responsible party's action or inaction.

(b) "Responsible party" means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

SECTION 4: GOVERNMENTAL FUNCTION COST RECOVERY. The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney's fees, interest, and any other payment or type of damages the court deems proper.

SECTION 5: EFFECT OF CRIMINAL OR CIVIL PROCEEDINGS ON GOVERNMENTAL FUNCTION COST RECOVERY. The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation giving rise to the criminal prosecution.

SECTION 6: PUBLIC NUISANCE. The County hereby finds and declares the following:

- (a) That addiction to and abuse of opioids is one of the greatest challenges facing the County;
- (b) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years which practice continues today;
- (c) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;
- (d) The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on the County economy, wasted public resources, and a generation of narcotic dependence;

- (e) That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;
- (f) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the Rensselaer County Legislature determines to be a public nuisance;
- (g) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and
- (h) That it is the duty of the County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

SECTION 7: RETROACTIVE APPLICATION. This Local Law shall apply retroactively.

SECTION 8: SEVERABILITY. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

SECTION 8: EFFECTIVE DATE

This Local Law shall become effective as provided in Municipal Home Rule Law §27.

Local Law ADOPTED by a roll call vote

Ayes: 19

Nays: 0

Abstain: 0

Date: March 13, 2018

Approved by the County Executive:

Dated: 3/28/18



Steven F. McLaughlin
County Executive

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2018 MAR 29 PM 4:39

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.)

County of Rensselaer

Local Law No. 4 of the year 2018

A local law to Repeal the Mortgage Recording Tax Imposed by Local Law No. 3 of the Year 2015 and Imposing a New Local Mortgage Tax on Obligations Secured by a Mortgage on Real Property

Loveridge, Stammel, Grimm

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

County of Rensselaer as follows:

Section 1. Local Law No. 3 of the year 2015, 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. 3 of the year 2015 and that there shall be an uninterrupted and continuous imposition of such mortgage tax.

Section 2. For the period commencing January 1, 2019, 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).

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(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 January 1, 2019.

Local Law ADOPTED by the following vote:

Ayes: 17
Nays: 0
Abstain: 0
October 9, 2018

Approved by the County Executive:

Dated: 10/23/19



Steven F. McLaughlin
County Executive