

Local Law

1 of 2020	A LOCAL LAW OF THE COUNTY OF RENSSELAER ESTABLISHING A SOLID WASTE MANAGEMENT FACILITIES ONE (1) YEAR MORATORIUM AND AMENDING LOCAL LAW #3 OF 2019
2 of 2020	A LOCAL LAW OF THE COUNTY OF RENSSELAER ESTABLISHING AN "EMERGENCY FIRST RESPONDERS PROTECTION ACT"

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. 1 of the year 2020

A local law of the County of Rensselaer Establishing a Solid Waste Management Facilities One (1) Year Moratorium and amending Local Law No. 3 of 2019

By: Chairman Stammel

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

County of Rensselaer as follows:

Be It Enacted by the Rensselaer County Legislature as follows:

Section 1. Title

This Local Law shall be known as the "Solid Waste Management Facilities Moratorium Law." This Local Law amends Local Law No.3 of 2019.

Section 2. Legislative Findings and Purpose

The Rensselaer County Legislature hereby finds and determines that it is in the best interest of the residents of the County of Rensselaer to protect the Hudson River as well as Municipal Drinking Water Sources in the County from possible contamination and damage from adverse effects caused by locating Solid Waste Management Facilities, as defined and applicable under Part 360 et seq. of the Codes, Rules and Regulations of the State of New York, including, but not limited to landfills, transfer stations and waste processing facilities that accept, process, dispose of, combust, gasify, or transfer solid waste for the purpose of disposal, use as a fuel product or transfer to a facility in Rensselaer County or outside the County within a one (1) mile distance from the Hudson River and its tributaries as it adjoins the borders of the County of Rensselaer, or Municipal Drinking Water Sources in the County, including, but not limited to, the Tomhannock Reservoir and its tributaries.

The purpose of this local law is to protect public health and safety, as well as the environment, in Rensselaer County, by requiring a one (1) year moratorium, from the effective date of this Local Law, on the local and/or state approval of, or local and/or state permitting of, or expansion of, any Solid Waste Management Facilities, as defined and applicable under Part 360 et seq. of the Codes, Rules and Regulations of the State of New York, including, but not limited to landfills, transfer stations and waste processing facilities that accept, process, dispose of, combust, gasify, or transfer solid waste for the purpose of disposal, use as a fuel product or transfer to a facility in Rensselaer County or outside the County within a one (1) mile distance from the Hudson River and its tributaries or Municipal Drinking Water Sources, including, but not limited to, the Tomhannock Reservoir and its tributaries.

Section 3. Moratorium

The Rensselaer County Legislation hereby prohibits, for a period of one (1) year from the effective date of this Local Law, the local and/or state approval of permits, or expansion of, or opening of any Solid Waste Management Facility, as defined and applicable under Part 360 et seq. of the Codes, Rules and Regulations of the State of New York, including, but not limited to landfills, transfer stations and waste processing facilities that accept, process, dispose of, combust, gasify, or transfer solid waste for the purpose of disposal, use as a fuel product or transfer to a facility in Rensselaer County or outside the County within a one (1) mile distance from the Hudson River and its tributaries as it adjoins the borders of the County of Rensselaer, or from any Municipal Drinking Water Sources in the County, including, but not limited to, the Tomhannock Reservoir and its tributaries.

Section 4. Public Hearings

The Rensselaer County Legislature shall conduct public hearings and gather information on what further safeguards, if any, need to be put in place to assure that the public health and environment of Rensselaer County are not put in jeopardy from the operation of, or expansion of, any Solid Waste Management Facilities, as defined and applicable under Part 360 et seq. of the Codes, Rules and Regulations of the State of New York, including, but not limited to landfills, transfer stations and waste processing facilities that accept, process, dispose of, combust, gasify, or transfer solid waste for the purpose of disposal, use as a fuel product or transfer to a facility in Rensselaer County or outside the County located within one (1) mile of the Hudson River and its tributaries or from any Municipal Drinking Water Sources in the County, including, but not limited to, the Tomhannock Reservoir and its tributaries.

Section 5. State Environmental Quality Review Act compliance

This County Legislature determines that the adoption of this Local Law constitutes a "Type II action" as said term is defined in the State Environmental Quality Review Act ("SEQRA"), and that no further action with respect to same is required under SEQRA.

Section 6. Severability

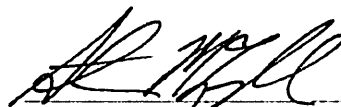
If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law, which shall remain in full force and effect except as limited by such order or judgment.

Section 7. Effective Date

This Local Law shall be effective immediately.
Local Law ADOPTED by the following Roll Call vote:
Ayes: 19
Nays: 0
Abstain: 0
July 14, 2020

Approved by the County Executive:

Dated: 8/27/20



Steven F. McLaughlin
County Executive

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. 2 of the year 2020

A local law of the County of Rensselaer Establishing an "Emergency First Responders Protection Act"

By: Legislator Patire

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 the "Emergency First Responders Protection Act."

Section 2. Legislative Findings:

Emergency First Responders play a critical role in protecting people and property in the event of fires, natural and man-made disasters, medical emergencies, terrorist and other criminal acts, and numerous other types of emergencies. Emergency First Responders are deserving of appreciation and commendation for the invaluable services they provide to the residents of Rensselaer County and New York State. The Legislature further finds and determines that it is critical to ensure that Emergency First Responders are protected from harassment and interference as they perform essential duties on behalf of the public, and this Legislature feels it must enact protections for those Emergency First Responders as they are engaged in providing the aforementioned essential duties.

Section 3. Definitions:

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

"Emergency First Responder" - a law enforcement officer, firefighter, emergency medical services personnel, or auxiliary officer;

"Law Enforcement Officer" - any active county, town, village, city, state or other duly appointed municipal law enforcement officer, peace officer, sheriff, deputy sheriff, probation or parole officer, marshal, deputy, wildlife enforcement agency, county or state correctional officer, fire marshal, or commissioned agent of the department of corrections and community supervision, as well as any federal law enforcement officer or employee, whose permanent duties include making arrests, performing search and seizures, execution of criminal arrest warrants, execution of civil seizure warrants, any civil functions performed by sheriffs or deputy sheriffs, enforcement of penal or traffic laws, or the care, custody, control, or supervision of inmates.

"Firefighter" - (1) any firefighter regularly employed by a fire department of any municipality of the State

of New York and (2) any volunteer firefighter as defined in subdivision one of section three of the New York State Volunteer Firefighters' Benefit Law.

"Emergency Medical Services Personnel" - the personnel of a service or agency, whether paid or volunteer, engaged in providing initial emergency medical assistance, including but not limited to emergency medical technicians, advanced emergency medical technicians, and paramedics.

"Auxiliary Officer" - A volunteer officer of a police, fire or first responder agency.

Section 4. Interference with the Duties of Emergency First Responders Prohibited:

A person shall be guilty of Interference with the Duties of an Emergency First Responder when such person, with intent to harass, annoy or alarm, engages in conduct against an Emergency First Responder such that such activity would constitute Harassment in the Second Degree as defined by New York State Penal Law §240.26. Such Interference must occur when such Emergency First Responder is in the course of performing his or her official duties and the person committing such act knows or reasonably should know that such person is an Emergency First Responder.

Section 5. Penalties:

Violation of this law shall constitute a violation punishable by up to fifteen (15) days of imprisonment and/or a fine of up to \$1,000.

Section 6. Severability

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law, which shall remain in full force and effect except as limited by such order or judgment.

Section 7. Effective Date

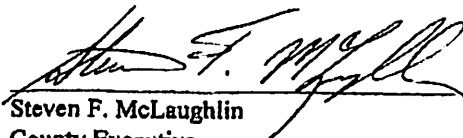
This Local Law shall be effective immediately.

Local Law ADOPTED by the following Roll Call vote:

Ayes: 17
Nays: 2 (Grimm, Fleming)
Abstain: 0
September 8, 2020

Approved by the County Executive:

Dated: 10/11, 2020


Steven F. McLaughlin
County Executive