

LOCAL LAW NO. "C" FOR 2026

LOCAL LAW NO. "C" FOR 2026: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK IN RELATION TO THE ESTABLISHMENT OF ALBANY COUNTY RESIDENTS AS PRIORITY HIRES FOR COUNTY-ASSISTED HOUSING DEVELOPMENT PROJECTS

Introduced: 4/13/26

By Efekoro:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Title:

This Local Law shall be known as the "County residents as priority hires for county-assisted housing development projects law"

Section 2: Definitions:

For purposes of this local law, the following terms have the following meanings:

COUNTY ECONOMIC DEVELOPMENT ENTITY: The term "county economic development entity" means a not-for-profit organization, public benefit corporation, or other entity that provides or administers economic development benefits on behalf of the county.

AGENCY: The term "agency" means the Advance Albany County Alliance.

COUNTY FINANCIAL ASSISTANCE: The term "county financial assistance" means loans, grants, or land conveyances for less than appraised value that are provided to a developer for the development of real property by the county on a discretionary basis.

County financial assistance includes only loans, grants, or land conveyances for less than appraised value that are provided by the county and does not include any tax exemptions or abatements, any as-of-right assistance or benefits or any lease at below-market lease rates. Where county financial assistance takes the form of land conveyances for less than appraised value that are provided to a developer, the value of the assistance shall be determined based on the difference between the value of the land conveyance provided to developer by the county and the appraised market value of the land being conveyed.

CONSTRUCTION: The term "construction" means the planning, designing, financing, and building infrastructure, residential, and industrial facilities from conception to demolition.

CONSTRUCTION EMPLOYER: The term “construction employer” means any person, corporation, limited liability company, or association employing a construction worker directly, or indirectly, such as through a subcontractor or subcontractors.

CONSTRUCTION WORKER: The term “construction worker” means a person who is employed to perform construction, demolition, hazardous remediation, or manual labor on a housing development project.

DEMOLITION: The term “demolition” has the same meaning as set forth in section 3302.1 of the New York City building code.

DEVELOPER: The term “developer” means an individual, sole proprietorship, partnership, joint venture, corporation, or other entity that receives county financial assistance for a housing development project.

HOUSING DEVELOPMENT PROJECT: The term “housing development project” means construction or demolition of any residential building, residential facility, or residential structure, including any commercial and community components of such building, facility, or structure, conversion of any non-residential floor area to residential, and any green building retrofit including energy efficiency improvements and renewable energy systems installations that is funded in whole or in part by county financial assistance. The term “housing development project” does not include scatter sites, preservation projects, housing development projects on land owned by the Albany County or housing development projects wholly sited on land where the disposition of such land is solely by the county.

ON-SITE SUPPORTIVE SERVICES: The term “on-site supportive services” means the provision of services to residents that may include, but are not limited to, assistance with the physical health, mental health, and substance use needs of such residents.

PRESERVATION PROJECT: The term “preservation project” means a renovation project of any existing residential facilities or structures that preserves dwelling units. “Preservation project” does not include a project that involves a conversion of any non-residential floor area to residential or any green building retrofit including energy efficiency improvements and renewable energy systems installations.

SCATTER SITE: The term “scatter site” means a project consisting of 3 or more buildings where no individual parcel or building is contiguous or located on the same block and no individual parcels or buildings have more than 20 units.

SUPPORTIVE HOUSING PROJECT: The term “supportive housing project” means a project for the provision of housing in which (1) a developer has entered into a regulatory agreement with a federal, state, or local government entity that requires

(a) at least 35 percent of the residential units in such project be reserved for individuals who are homeless or at risk of becoming homeless, disabled individuals, or homeless families with a disabled head-of-household, and (b) the provision of on-site supportive services to the residents of at least 20 percent of the residential units, and (2) the remaining residential units in such project be rented to households earning, on average, up to 80 percent of the area median income, adjusted for household size.

Section 3. Community Hiring:

a. Each developer receiving county financial assistance on a housing development project shall make a best faith effort to ensure that no less than 30 percent of work on such housing development projects are performed by construction workers who reside in the county of Albany.

b. The agency shall provide a model community hiring plan to developers, including a description of measures that would satisfy the requirements established pursuant to subdivision a of this section.

c. Prior to receiving county financial assistance for a housing development project, the developer shall submit to the agency, a community hiring plan describing how the developer plans to recruit construction workers to meet the hiring goals established pursuant to subdivision a of this section.

Section 4. Reporting Requirements.

a. The agency shall maintain a publicly searchable open dataset available online of all construction projects subject to this chapter. Projects shall be added to such open dataset as often as needed to keep it current, but no less than quarterly. The open dataset shall include but not be limited to:

1. The address, and any proposed addresses, of the housing development project;
2. The type and amount of county financial assistance related to the housing development project awarded to a developer;
3. The name and address of each developer that is receiving county financial assistance related to the housing development project;
4. The agency with primary project oversight of the housing development project; and
5. A copy of the developer's community hire plan.

b. For each housing development project, each developer shall report to the agency, and the agency shall publish on its website no less than quarterly, the following information:

1. The name and address of each construction employer, or any other entity that employs construction workers, on the housing development project;
2. The number of construction workers employed on the construction project; and,

3. The number of construction workers employed on the construction project, disaggregated by the percentage of whom are residents of the county.

c. By December 31 of each year, the agency shall submit to the County Executive and the County Legislature through the Chair of the County Legislature, and make public online, a report on the status of covered housing development projects and the enforcement of this local law. The report shall include details on enforcement actions taken by the agency, or county economic development entity, disaggregated by housing development project, developer, and construction employer, including any violations issued, findings, settlements, and penalties.

Section 5. Enforcement.

a. The agency shall monitor compliance with the requirements of this local law. Whenever the agency has reason to believe there has been a violation of this local law, or upon a complaint in writing claiming a violation of this local law, the agency shall conduct an investigation to determine the facts relating thereto and shall report to the County Executive and the County Legislature through the Chair of the Legislature.

b. At the start of an investigation conducted pursuant to this section, the agency may, in a manner consistent with the withholding procedures, request that all payments due to the developer or construction employer be withheld pending the outcome of the investigations.

c. At the conclusion of an investigation commenced pursuant to this local law, the agency shall offer the developer or constructions employers that are subject of the investigation, with notice to the developer or recipient of county financial assistance on a housing development project on which the developer or construction employer performed work, no less than 90 days to cure once a final determination has been made by the County Executive or designee. The agency may negotiate an agreed-upon stipulation of settlement or conduct a hearing concerning the alleged violation of this section. At least 10 days before the hearing, the agency shall give notice thereof together with a copy of the complaint, or a statement of the facts disclosed upon investigation, which notice shall be served personally or by mail on any person, developer, or construction employer affected thereby, or electronically, where such person, developer, or construction employer has consented. Such person, developer, or construction employer shall have the opportunity to be heard at the hearing regarding such matters. Any violations settled before the 90-day cure period will not negatively impact a developer's eligibility to be awarded housing development projects receiving county financial assistance in the future.

d. After the 90-day cure period, based upon the hearing record, the agency shall provide a report and recommendation concerning the alleged violation of this section to the County Executive or the County Executive's designee, who shall issue an order with a final determination. Such order may:

1. Direct the filing or disclosure of any records that were not filed or made available to the public as required by this local law;

2. In assessing an appropriate remedy, due consideration shall be given to the size of the employer's business, the employer's good faith, the gravity of the violation, the history of previous violations, and the failure to comply with record-keeping, reporting.

3. When a final order has been entered against a developer or construction employer for 3 instances of violations not settled during the cure period within any consecutive 6 year period, determining that such employer has failed to comply with record-keeping or reporting requirements of this local law, such employer, and any principal or officer of such employer who knowingly participated in such failure, shall be ineligible to submit a bid on or be awarded any county contract or financial assistance for a period of 5 years from the date of the third disposition.

Section 6. Capital Region Counties

Residents of the following counties in the New York State Capital Region shall be counted towards meeting the requirements of this local law. The counties shall include: Albany, Columbia, Greene, Fulton, Montgomery, Rensselaer, Saratoga, and Schenectady.

Section [6]7. Effective Date.

This local law shall take effect on January 1, 2027.

Referred to Law Committee – 4/13/26