

RESOLUTION NO. 499

REQUESTING THAT THE NEW YORK STATE LEGISLATURE AUTHORIZE ALBANY COUNTY TO CONDUCT A PERMISSIVE REFERENDUM REGARDING THE CONSTRUCTION OF A NEW NURSING HOME

Introduced: 12/6/10

By Ms. Benedict:

WHEREAS, The Albany County Executive's plan is to close the Albany County Nursing Home and establish more home based care, and

WHEREAS, Certain members of the Albany County Legislature want to build a new 250 bed nursing home at a projected cost of over 80 million dollars, and

WHEREAS, On June 7, 2009, the *Albany Times Union* reported that a member of this Honorable Body supported, in what is appropriately described as a remarkably wise, insightful, and inspiring idea, a referendum for the voters to decide whether Albany County should embark on the construction of a new nursing home, and

WHEREAS, The *Albany Times Union* further reported that a member of this Honorable Body wanted the nursing home on the November 2009 ballot "...so the residents can decide", and

WHEREAS, It is in the interest of the County to provide for maximum input of the County's citizens in making the decisions as to whether or not to proceed with such redevelopment, and

WHEREAS, The most viable method of enhancing citizen participation in this decision making process is to provide for a referendum prior to such a momentous decision being made by the Albany County Legislature, and

WHEREAS, It is imperative that this Honorable Body take into account wishes of the constituents that it represents before making such a monumental decision, and

WHEREAS, This Honorable Body has previously adopted resolutions request the New York State Legislature to conduct a referendum (Resolution 242-a, 1992), and

WHEREAS, Albany County does not have the authority to conduct a permissive referendum without express authorization of the New York State Legislature, now, therefore be it

RESOLVED, That the Albany County Legislature hereby requests that the New York State Legislature authorize the County of Albany to conduct a referendum, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

On roll call vote the following voted in favor: Ms. Benedict, Messrs. Carman, Clay, Clouse, Ethier, Hoblock, Ms. Lockart, Messrs. Mayo, Mendick, Timmins and Tunny – 11.

Those opposed: Messrs. Aylward, Beston, Bullock, Ms. Chapman, Messrs. Clenahan, Commisso, Ms. Connolly, Messrs. Cotrofeld, Domalewicz, Gordon, Horstmyer, Houghtaling, Infante, Joyce, Ms. Maffia-Tobler, Mr. McCoy, Ms. McKnight, Messrs. Morse, Rahm, Reilly, Scavo, Steck, Ward and Ms. Willingham – 24.

Abstained: Messrs. Dawson, Higgins and Nichols – 3.

Resolution was defeated. 12/6/10