



NEWS *From*
Assemblymember

John T. McDonald III

Summer 2021

2021 Post Legislative Session

This year as we have worked to advance the COVID-19 vaccination effort and recover from the lasting impacts of the pandemic, my office and I have been busy engaging with constituents on the issues that are important to the 108th Assembly District. As we know there are no easy solutions to the challenges that we have faced nor what lies ahead. That being said, I remain optimistic that with the work that NYS Legislature accomplished this year along with the support of the federal government we will continue on a path to a brighter future. Many lessons have been learned in the past year and I appreciate all of the feedback that I have received from so many and the opportunity to build networks and cooperative partnerships that have led to results for our communities.

In a year that we have been asked to physically distance from one another for far too long, the bright side has been the emphasis on the values of supporting one another, making sacrifices for the common good and learning how to adjust or pivot for the times have made us all stronger in many aspects. To all who have experienced loss in varying degrees, my thoughts are with you. Each and every day I am honored to represent you in the NYS Legislature, which is an honor that I never take for granted as we work together to improve the lives of others.

Thank you for your valuable input on legislation that I sponsor and other bills that came up during the legislative year. As always, I look forward to hearing about the issues that are important to you.

Assemblymember
McDonald and
Senator Neil Breslin
at the South End
Children's Café funding
announcement



Funding available through the 2021-22 NYS Budget

The 2021-22 NYS Budget included various funding opportunities that will be administered through multiple state agencies. Please sign up for my weekly newsletter to remain up to date when the applications are released. You can sign up on my Assembly website here <https://nyassembly.gov/mem/John-T-McDonald-III/news/> or just email me directly at mcdonaldj@nyassembly.gov.

Need a speaker? I am always interested in meeting with groups and hearing what people have to say throughout the district. We have found great success with virtual meetings which has been a convenient option for those who have transportation or time constraints. This has provided me the opportunity to keep in touch with constituents while keeping safety concerns in mind. If your organization is interested in having me as a guest or would like a legislative update, please contact my office at 518-455-4474. Thank you and I look forward to seeing you in the district either in person or virtually!



Highlights of bills sponsored by Assemblymember McDonald that have passed both the Senate and the Assembly (Pending decision by the Executive):

- **A.3028 • McDonald/S.1633 SKOUFIS**

Relates to remedies for violations of the New York state uniform fire prevention and building code act which threaten imminent physical harm to occupants of a property

- **A.3034 • McDonald/S.4432 MAY**

Relates to the taxable status date to clarify the meaning of “income tax year” to be the twelve-month period for which the applicant filed a federal personal income tax return for the year for the income tax year immediately preceding the application

- **A.3201-B • McDonald/S.5671-B BRESLIN**

Relates to the purposes and powers of New York state industrial development agencies

- **A.3370-B • McDonald/S.4106-B BRESLIN**

Relates to facilities utilized by the Albany parking authority and increases the amount of bonds of the Albany parking authority authorized to be outstanding

- **A.3456 • McDonald/S.33 KAPLAN**

Relates to designating a small business liaison with the Departments of Agriculture and Markets, Environmental Conservation, Labor, Transportation, and Taxation and Finance

- **A.3466 • McDonald/S.4112 BRESLIN**

Authorizes the superintendent of financial services to authorize the return of subscribing member operating reserve balances to members of a municipal insurance reciprocal

- **A.3516 • McDonald/S.7075 BRESLIN**

Requires insurers to provide insureds or subscribers with an explanation of pharmaceutical benefits relating to claims under certain accident and health insurance policies

- **A.6553 • McDonald/S.4086 HINCHEY**

Authorizes gifts, on personal income tax returns, for substance use disorder education and recovery

- **A.7086 • McDonald/S.7082 BRESLIN**

Updates certain references with respect to the Troy Industrial Development Authority and makes technical changes



Assemblymember McDonald with Assemblymember Carrie Woerner, Senator Michelle Hinchey, and Assemblymember Donna Lupardo at Assemblymember Woerner's Air Ambulance legislation press conference

- **A.7237 • McDonald/S.6441 BRESLIN**

Relates to the disposition of excess funds of the municipal assistance corporation for the city of Troy and providing for the termination of the municipal corporation for the city of Troy

- **A.7500 • McDonald/ S.6642-A KAPLAN**

Relates to certain waivers of regulatory penalties for small businesses, seeks to reduce regulatory fines on businesses, and to create a productive relationship between the state and business owners that will allow them to work closely together. Extends previous law in place that was set to expire and implements reporting requirements.

- **A.7520-A • McDonald/S.6555-A BRESLIN**

Relates to a residential and mixed-use investment exemption program in certain cities and school districts

- **A.7843 • McDonald/S.6922 BRESLIN**

Authorizes the state of New York bond bank agency to provide municipal relief to the city of Albany

- **A.8034 • McDonald/S.7231 FELDER**

Relates to providing a deduction for repayment of amounts reported in a taxpayer's income in a previous tax year and to ensure that taxpayers that return overpaid employment benefits can recoup any taxes paid on funds returned

Unemployment Issues

Some of the issues that we have heard about the most in the past year and that my office has continuously worked with constituents on are the issues surrounding unemployment benefits and the difficulties that many have faced when trying to prove their identity to claim benefits when fraudulent claims have been filed their names. I have sent two letters this year to the NYS Department of Labor Commissioner requesting resolution of these issues and providing suggestions for addressing the problems. While I understand that far too many are still waiting for answers, I will continue to advocate on these matters and feel free to contact my office.

Addressing Environmental Concerns



Assemblymember McDonald speaking at the City of Troy Ground Breaking for the Tomhannock Water Transmission Line Project

Dunn Landfill in Rensselaer – Advocacy has led to action

This year we have seen improvement in the Rensselaer community regarding the Dunn Landfill. Recently, we were notified in the form of a letter from New York State Department of Environmental Conservation (NYSDEC) Commissioner Basil Seggos of a commitment stating that the Dunn Facility will be required to have any renewal application treated as a new application, which means there will be a much more expansive review of the renewal if it is solicited as compared to a regular renewal review. This past month NYSDEC also announced that the border of the Dunn Facility at Partition Street is now part of an Environmental Justice Zone which adds additional review and oversight to the renewal process if a permit renewal is requested. Additionally, this will open up more opportunities for public comments regarding the truck traffic, malodor complaints, and other potential community impacts.

Through the course of several years, Senator Neil Breslin and I sent multiple letters to NYSDEC regarding the Dunn Facility, participated in numerous meetings and public hearings, and sponsor legislation in the NYS Assembly that would prohibit siting solid waste management sites near schools. These efforts, along with a large amount of advocacy from residents, our local elected officials, and working with NYSDEC, have led to a full-time on-site monitor being placed at the facility and a strict process regarding the reporting of quality-of-life complaints to ensure that they are addressed expeditiously. More importantly, millions of dollars have been spent by the operator to install an elaborate odor control system that to date has been effective. Whereas there has been improvement on the odor concerns, I am well aware of the many quality of life concerns that residents have and I continue to work to address the concerns of the community.

I appreciate the actions of DEC and believe that the advocacy of many

at all levels that have been engaged has put us in a better position regarding the future of the Dunn Landfill and ensuring that the community will have their voices heard and concerns addressed.

South End Waste Management proposed expansion halted

In April, former City of Albany Councilmember Dominick Calsolaro raised the issue of Waste Management in the South End seeking to expand their permit to allow municipal solid waste (MSW) to be accepted at the facility in the South End of Albany.

My colleague Assemblymember Patricia Fahy and I sent a letter to the NYS Department of Environmental Conservation (NYSDEC) regarding our opposition to the permit expansion. Senator Neil Breslin sent a separate letter as well expressing his opposition to the proposal. Our reservations were based on the issues of malodors and increased truck traffic. Our South End residents live in an environmental justice community and it is vitally important to be proactive when potential issues that affect the quality of life for our residents arise. Ultimately due to the advocacy of the residents and local and state elected officials, Waste Management withdrew their application for the permit expansion.

As a legislator who represents five cities that are impacted by remnants of the industrial era where prior decisions were made that created the challenges of today (i.e. Dunn Landfill complaints, Ezra Prentice concerns regarding impacts from the Port of Albany, Norlite in Cohoes, etc.), it is clear that our communities and residents have understandably had enough and are only asking for what many already enjoy – a clean and safe community to live in. I carry legislation in the NYS Assembly regarding the Dunn Landfill issue, have had a bill enacted into law to prohibit the incineration of AFFF at Norlite, and remain active and vocal not only on these issues but others as they arise. I will continue to work diligently to protect the health and safety of our communities.

Norlite in Cohoes – Lawsuit initiated by NYS Attorney General

In March 2021, after a referral from the NYS Department of Environmental Conservation, the NYS Attorney General brought a lawsuit against the Norlite facility in Cohoes for ongoing violations. In 2020, Senator Neil Breslin and I sponsored legislation that was enacted into law to prohibit the burning of AFFF at the Norlite facility and have been directly engaged with residents, state officials, and advocates on ensuring accountability and protecting the health and safety of the community members. I will continue to be engaged and will provide updates as the lawsuit progresses.

Emergency Rental Assistance Program – Tenant and Landlord Rent Relief

Applications for the Emergency Rental Assistance Program are now open for landlords and tenants to complete online. The funding for this program was passed in the state budget this year.

Applications and more information are available here on the Office of Temporary and Disability Assistance (OTDA) website: <https://otda.ny.gov/programs/Emergency-Rental-Assistance/>

New York residents are eligible for ERAP if they meet all of the following criteria:

- Household gross income is at or below 80 percent of the Area Median Income (AMI). These income limits differ by county and household size. A household may qualify based on current income or calendar year 2020 income that is at or below 80 percent AMI.
- On or after March 13, 2020, a member of the household received unemployment benefits or experienced a reduction in income, incurred significant costs or experienced financial hardship, directly or indirectly, due to the COVID-19 pandemic.
- The applicant is obligated to pay rent at their primary residence and has rental arrears (rent overdue) at their current residence for rent owed on or after March 13, 2020.
- The household must be at risk of experiencing homelessness or housing instability, which can be demonstrated by having rental arrears owed on or after March 13, 2020.

If you are having difficulty completing your application online, there is a chat option on the OTDA website and the helpline phone number is 844-NY1RENT (844-691-7368)

A separate bill A. 7280 (Paulin) (https://nyassembly.gov/leg/?default_fd=%0D%0A&leg_video=&bn=A07280&term=2021&Summary=Y&Memo=Y&Text=Y) that I cosponsored and passed both houses of the Legislature and awaits decision by the Executive. If signed into law, the legislation would create a \$100 million fund with expanded eligibility criteria that will allow landlords to recover funding when their tenant is not available or refuses to sign off on a ERAP application and for tenants who would qualify for the COVID-19 Emergency Rental Assistance Program (CERAP) but for the fact that their income exceeds 80% of the area median income.

New York State COVID-19 Pandemic Small Business Recovery Grant Program

The Small Business Recovery Program was established earlier this year as part of the State Fiscal Year (SFY) 2021-22 Budget, and is administered by the New York State Empire State Development Corporation (ESDC).

Those eligible to apply include small businesses, micro-businesses and for-profit independent arts and cultural organizations who began operation on or before March 1, 2019 and continue to be in operation as of the date of their application, even if they were shuttered due to COVID-19 restrictions. Eligible applicants will be required to show loss of gross receipts or other economic hardship as a result of the COVID-19 pandemic and compliance with COVID-19 health and safety protocols which resulted in business modifications, interruptions, or closures.

Applications and more information are available at:
<https://nysmallbusinessrecovery.com/>



Assemblymember McDonald speaking at the City of Albany Sgt. Henry Johnson Day event



Assemblymember McDonald with Assemblymembers Carrie Woerner and Patricia Fahy at a child care funding press conference advocating to release funding to providers

New York State Assembly • Albany, New York 12248

A graphic featuring a photo of Assemblymember John T. McDonald III speaking at a podium. The text reads "NEWS From Assemblymember John T. McDonald III" with a map of New York State in the background.

NEWS From
Assemblymember
John T. McDonald III

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