

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

Thursday, May 29, 2025

5:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Health Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS
3. LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS
4. LOCAL LAW NO. "B" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER ____ OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS THAT THE ALBANY COUNTY DEPARTMENT OF HEALTH NOTIFY LOCAL OFFICIALS REGARDING ELEVATED CONTAMINANT LEVELS FOUND IN DRINKING WATER IN ALBANY COUNTY

CURRENT BUSINESS:

5. AMENDING THE 2025 DEPARTMENT OF MENTAL HEALTH BUDGET: HOSPITALITY HOUSE
6. AUTHORIZING AN AGREEMENT WITH THE ALBANY CITY POLICE DEPARTMENT REGARDING A STREET PSYCHIATRY PILOT PROGRAM AND AMENDING THE 2025 DEPARTMENT OF MENTAL HEALTH BUDGET
7. AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR LEAD ABATEMENT TRAINING
8. AMENDING RESOLUTION NO. 252 FOR 2022 REGARDING THE RABIES GRANT PROGRAM
9. AMENDING THE 2025 ALBANY COUNTY BUDGET: REGIONAL EXPANSION OF ALBANY COUNTY HEALTHCARE COOPERATIVE

10. AMENDING RESOLUTION NO. 164 FOR 1993 REGARDING THE DEFENSE AND INDEMNIFICATION OF COUNTY OFFICERS AND EMPLOYEES

County of Albany

*Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207*



Meeting Minutes

Thursday, May 1, 2025

5:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Health Committee

PREVIOUS BUSINESS:

Present: Raymond F. Joyce, Robert J. Beston, Zach Collins,
Patrice Lockart and Susan Pedo

Excused: Carolyn McLaughlin, Matthew J. Miller and Mark A.
Robinson

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

APPROVING PREVIOUS MEETING MINUTES**2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS**

This proposal was tabled at the request of the Sponsor.

3. LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS

This Local Law was tabled at the request of the Sponsor.

4. LOCAL LAW NO. "B" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER ___ OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS THAT THE ALBANY COUNTY DEPARTMENT OF HEALTH NOTIFY LOCAL OFFICIALS REGARDING ELEVATED CONTAMINANT LEVELS FOUND IN DRINKING WATER IN ALBANY COUNTY

This Local Law was tabled at the request of the Sponsor.

5. AUTHORIZING AN AGREEMENT WITH ELLIS HOSPITAL REGARDING MORGUE AND LABORATORY SERVICES

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

CURRENT BUSINESS:

6. AMENDING THE 2025 DEPARTMENT OF MENTAL HEALTH BUDGET: MOTOR PROGRAM

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

7. AMENDING THE 2025 DEPARTMENT OF MENTAL HEALTH BUDGET: SECOND CHANCE OPPORTUNITIES, INC.

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

8. AMENDING THE 2025 ALBANY COUNTY BUDGET: JAIL-BASED ADDICTION SERVICES

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

9. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE DRINKING WATER ENHANCEMENT PROGRAM AND AMENDING THE 2025 DEPARTMENT OF HEALTH BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

10. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH AIDS INSTITUTE/HEALTH RESEARCH, INC. REGARDING THE EXPANDED PARTNER SERVICES PROGRAM

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

11. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "B" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER ___ OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS THAT THE ALBANY COUNTY DEPARTMENT OF HEALTH NOTIFY LOCAL OFFICIALS REGARDING ELEVATED CONTAMINANT LEVELS FOUND IN DRINKING WATER IN ALBANY COUNTY

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

LOCAL LAW NO. P FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS

Introduced: 9/9/24

By: Cunningham, Willingham, McLean Lane, McLaughlin, Miller

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION I. Article Creation.

Chapter 242, Article VI, Tobacco Retail Licensing, is hereby created

SECTION II. Title

This law shall be known as the “Quit Using Inhalants & Tobacco (QUIT Act).

SECTION III. § 242-32 Legislative Intent and Purpose

In accordance with New York State Public Health Law § 1399-ii, the County of Albany intends to limit the concentration of smoke shops and tobacco retailers within the County. The regulations herein are intended to further the goals of New York State's tobacco use prevention and control program, due to the known adverse impacts of tobacco and nicotine use. In furtherance of the state's goals, the County finds that:

- a. Smoke shop and tobacco retailer density is associated with higher rates of tobacco use in both youth and adult populations; and
- b. Adolescent brains are vulnerable to the effects of nicotine and to nicotine dependency; and
- c. Tobacco use leads to preventable death and disease in New York State; and
- d. The County of Albany has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use, and
- e. The restriction of increasing smoke shop and tobacco retailer density will reduce the availability of nicotine products to residents, and in particular young residents, thus reducing risk to the public's health, safety, and wellbeing.

SECTION IV. § 242-33 Authority

This article is enacted by the Albany County Legislature pursuant to its authority to adopt local laws under the New York State Constitution Article IX and Municipal Home Rule Law § 10.

SECTION V. § 242-34 Definitions

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

Accessory: as defined in Chapter 242 §242-20.

Component or Part: as defined in Chapter 242 §242-20.

Constituent: An ingredient, substance, chemical, or compound, other than tobacco, water, reconstituted tobacco sheet, or propylene glycol or vegetable glycerin that is added by the manufacturer to a covered product during the processing, manufacture, or packing of the covered product.

Covered Product: A tobacco product, electronic aerosol delivery system, or another or product regulated by Article 13-F of the Public Health Law.

Department: as defined in Chapter 242 §242-20.

Commissioner: as defined in Chapter 242 §242-20.

Electronic Aerosol Delivery System: as defined in Chapter 242 §242-20.

New Tobacco Retail License: a tobacco retail license that is not a renewed tobacco retail license.

Person: as defined in Chapter 242 §242-3

Renewed Tobacco Retail License: A tobacco retail license issued to an applicant for the same location at which the applicant possessed a valid tobacco retail license during the previous 12 months.

Sell: Shall mean to sell, exchange, give or dispose of to another or offer to or agree to do the same.

School: A public or independent kindergarten, elementary, middle, junior high, or high school.

Tobacco Product: as defined in Chapter 242 §242-20

Tobacco Retailer: A retailer licensed pursuant to this chapter.

Tobacco Retail License: A license issued pursuant to Chapter 242 §242-35 by the Department to a person to engage in the retail sale in the County of Albany of a covered product.

SECTION VI. §242-35 Tobacco Retail License Required.

- a. No person shall sell, offer for sale, or permit the sale of a covered product by retail within the County of Albany without a valid tobacco retail license. A tobacco retail license is not required for a wholesale dealer who sells products to retail dealers for the purpose of resale only and does not sell a covered product directly to consumers.
- b. Notwithstanding the requirements set forth in Subsection A, this chapter shall not apply to registered organizations pursuant to § 3364 of the Public Health Law.
- c. A tobacco retail license issued pursuant to this chapter is nontransferable and non-assignable and valid only for the applicant and the specific address indicated on the tobacco retail license. A separate tobacco retail license is required for each address where a covered product is sold or offered for sale. A change in business ownership or business address requires a new tobacco retail license.

SECTION VII. §242-36 License Application and Application Fee

- a. An application for a new tobacco retail license or a renewed tobacco retail license shall be submitted to the Department in writing upon a form provided by the Department and shall contain information as required by the Department. The Department may require the forms to be signed and verified by the applicant or an authorized agent thereof.
- b. Each application for a tobacco retail license shall be accompanied by a non-refundable application fee of \$240.
- c. Upon the receipt of a completed application for a tobacco retail license and the application fee required by Subsection B, the Department may inspect the location at which sales of a covered product are to be permitted. The Department may ask the applicant to provide additional information that is reasonably related to the determination of whether a tobacco retail license may issue.

SECTION VIII. §242-37 Issuance of Licenses

- a. No tobacco retail license shall be issued to a seller of a covered product that is not in a fixed, permanent location.

- b. The issuance of a tobacco retail license pursuant to this chapter is done in the Department's discretion and shall not confer upon licensee any property rights in the continued possession of the license.
- c. The Department shall collect from the applicant the tobacco retail license fee prescribed by §242-36(b); §242-38(b) prior to issuing a tobacco retail license.
- d. The Department may refuse to issue a tobacco retail license to an applicant if it finds that one or more of the following bases for denial exists:
 - 1. The information presented in the application is incomplete, inaccurate, false, or misleading;
 - 2. The fee for the application has not been paid as required;
 - 3. The applicant does not possess a valid certificate of registration required by state or federal law for the sale of a covered product;
 - 4. The Department has previously revoked a tobacco retail license issued under this chapter to the applicant;
 - 5. The Department has previously revoked a tobacco retail license issued under this chapter for the same address or location;
 - 6. The applicant has been found by a court of law or administrative body to have violated a federal, state, or local law pertaining to:
 - i. Trafficking in contraband tobacco products or illegal drugs;
 - ii. The payment or collection of taxes on a covered product
 - iii. The display of a covered product or of health warnings pertaining to a covered product; or
 - iv. The sale of a covered product.
 - 7. The applicant has not paid to the County of Albany outstanding fees, fines, penalties, or other charges owed to the County of Albany, including the fee for the tobacco retail license required by §242-36(b); §242-38(b); § 114-7; or
 - 8. The Department determines, in accordance with written criteria established to further the purposes of this chapter, that the applicant is otherwise not fit to hold a tobacco retail license.

SECTION IX. §242-38 License Term and Annual Fee

- a. A tobacco retail license issued pursuant to this chapter shall be valid for no more than one year and shall expire on December 31. As set forth in § 114-12 revocation of licenses, a tobacco retail license may be revoked for cause by the Department prior to its expiration.
- b. The tobacco retailer shall pay an annual tobacco retail license fee of \$240.
- c. The Director may discount the tobacco retail license fee required by §242-36(b); §242-38(b) for an application received within six months of the expiration date.

SECTION X: §242-39 Display of License

- a. A tobacco retail license issued pursuant to this chapter shall be conspicuously displayed at the location where a covered product is sold so that it is readily visible to customers.
- b. Selling, offering for sale, or permitting the sale of a covered product without a valid tobacco retail license displayed in accordance with Subsection (a) constitutes a violation of this chapter.

SECTION XI: §242-40 Number of Licenses Issued

- a. For the first year after the effective date of this chapter, the Department shall accept an application for a tobacco retail license only from an applicant for the same location at which the applicant possessed a valid certificate of registration as a tobacco retail dealer or electronic aerosol delivery system (vapor) products dealer from the New York State Department of Taxation and Finance 180 days prior to the effective date of this chapter.
- b. Beginning one year after the effective date of this chapter, the Department shall issue a renewed tobacco retail license to eligible applicants.
- c. Thereafter, the Department shall issue only one new tobacco retail license for every two tobacco retail licenses that are not renewed, until a floor of one hundred fifty (150) is reached. Thereafter, the Department shall evaluate the effect of this local law on reducing tobacco usage by reducing the density of tobacco retailers.
- d. Whenever the number of valid applications for a new tobacco retail license exceeds the maximum number of new tobacco retail licenses that may be issued pursuant to this section, the Department shall grant new tobacco retail licenses using the following priorities:
 - 1. A new tobacco retail license shall be granted, first, to an applicant for an establishment whose property line is located 1,000 feet or more from the nearest point of the property line of a school who holds but does not seek to renew a valid tobacco retail license for an establishment whose property line is within 1,000 feet of the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 2. A new tobacco retail license shall be granted, second, to an applicant whose property line is located 1,000 feet or more from the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 3. A new tobacco retail license shall be granted, third, to an applicant who will sell a covered product at an establishment where the operator restricts entry to persons 21 years and older. If there are more valid applications from these applicants than the number of available new

tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;

4. Any remaining new tobacco retail licenses shall be granted to applicants by lottery.

SECTION XII: §242-41 Sales of Electronic Aerosol Delivery Systems

No tobacco retailer whose property line is located within 1,000 feet of the nearest point of the property line of a school shall distribute without charge, sell, offer for sale, or possess with intent to sell an electronic aerosol delivery system, commonly known as vapor products or electronic cigarettes.

SECTION XIII: §242-42 Violation and Penalties; Enforcement

- a. The Department or its authorized designee(s) shall enforce the provisions of this chapter. The Department may conduct periodic inspections to ensure compliance with this chapter.
- b. In addition to the penalties provided for in § 114-12, a person found to be in violation of this chapter shall be liable for a civil penalty of not more than \$500 for the first violation, not more than \$750 for the second violation within a two-year period, and not more than \$1,000 for the third and each subsequent violation within a two-year period, or as determined by the Director. Each day on which a violation occurs shall be considered a separate and distinct violation.

SECTION XIV. § 242-43 Revocation of Licenses

- a. The Department may suspend or revoke a tobacco retail license issued pursuant to this chapter for violations of the terms and conditions of this chapter or for violation of a federal, state, or local law or regulation pertaining to:
 1. Trafficking a contraband covered product or illegal drug;
 2. The payment or collection of taxes on a covered product;
 3. The display of a covered product or of health warnings pertaining to a covered product; or
 4. The sale of a covered product.
- b. The Department may revoke a tobacco retail license if the Department finds that one or more of the bases for denial of a license under §242-37 existed at the time application was made or at any time before the license issued.

SECTION XV. §242-44 Rules and Regulations

The Department may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this chapter.

SECTION XVI. Severability

If any part or provision of this local law, or the application thereof to any individual or circumstance, is held invalid, the remainder of the local law shall not be affected thereby and shall continue in force and effect.

SECTION XVII. Effective Date

This Local Law shall take effect on January 1, 2025 and its filing with the Secretary of State as required by §27 of the New York State Municipal Home Rule Law.

Referred to Law and Health Committees – 9/9/24

RESOLUTION NO. 578

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “P” FOR 2024 A
LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING
CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL
LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS**

Introduced: 9/9/24

By Cunningham, McLaughlin and Willingham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “P” for 2024, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, October 29, 2024, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Health Committees – 9/9/24

LOCAL LAW NO. P FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS

Introduced: 9/9/24

By: Cunningham, Willingham, McLean Lane, McLaughlin, Miller

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION I. Article Creation.

Chapter 242, Article VI, Tobacco Retail Licensing, is hereby created

SECTION II. Title

This law shall be known as the “Quit Using Inhalants & Tobacco (QUIT Act).

SECTION III. § 242-32 Legislative Intent and Purpose

In accordance with New York State Public Health Law § 1399-ii, the County of Albany intends to limit the concentration of smoke shops and tobacco retailers within the County. The regulations herein are intended to further the goals of New York State's tobacco use prevention and control program, due to the known adverse impacts of tobacco and nicotine use. In furtherance of the state's goals, the County finds that:

- a. Smoke shop and tobacco retailer density is associated with higher rates of tobacco use in both youth and adult populations; and
- b. Adolescent brains are vulnerable to the effects of nicotine and to nicotine dependency; and
- c. Tobacco use leads to preventable death and disease in New York State; and
- d. The County of Albany has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use, and
- e. The restriction of increasing smoke shop and tobacco retailer density will reduce the availability of nicotine products to residents, and in particular young residents, thus reducing risk to the public's health, safety, and wellbeing.

SECTION IV. § 242-33 Authority

This article is enacted by the Albany County Legislature pursuant to its authority to adopt local laws under the New York State Constitution Article IX and Municipal Home Rule Law § 10.

SECTION V. § 242-34 Definitions

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

Accessory: as defined in Chapter 242 §242-20.

Component or Part: as defined in Chapter 242 §242-20.

Constituent: An ingredient, substance, chemical, or compound, other than tobacco, water, reconstituted tobacco sheet, or propylene glycol or vegetable glycerin that is added by the manufacturer to a covered product during the processing, manufacture, or packing of the covered product.

Covered Product: A tobacco product, electronic aerosol delivery system, or another or product regulated by Article 13-F of the Public Health Law.

Department: as defined in Chapter 242 §242-20.

Commissioner: as defined in Chapter 242 §242-20.

Electronic Aerosol Delivery System: as defined in Chapter 242 §242-20.

New Tobacco Retail License: a tobacco retail license that is not a renewed tobacco retail license.

Person: as defined in Chapter 242 §242-3

Renewed Tobacco Retail License: A tobacco retail license issued to an applicant for the same location at which the applicant possessed a valid tobacco retail license during the previous 12 months.

Sell: Shall mean to sell, exchange, give or dispose of to another or offer to or agree to do the same.

School: A public or independent kindergarten, elementary, middle, junior high, or high school.

Tobacco Product: as defined in Chapter 242 §242-20

Tobacco Retailer: A retailer licensed pursuant to this chapter.

Tobacco Retail License: A license issued pursuant to Chapter 242 §242-35 by the Department to a person to engage in the retail sale in the County of Albany of a covered product.

SECTION VI. §242-35 Tobacco Retail License Required.

- a. No person shall sell, offer for sale, or permit the sale of a covered product by retail within the County of Albany without a valid tobacco retail license. A tobacco retail license is not required for a wholesale dealer who sells products to retail dealers for the purpose of resale only and does not sell a covered product directly to consumers.
- b. Notwithstanding the requirements set forth in Subsection A, this chapter shall not apply to registered organizations pursuant to § 3364 of the Public Health Law.
- c. A tobacco retail license issued pursuant to this chapter is nontransferable and non-assignable and valid only for the applicant and the specific address indicated on the tobacco retail license. A separate tobacco retail license is required for each address where a covered product is sold or offered for sale. A change in business ownership or business address requires a new tobacco retail license.

SECTION VII. §242-36 License Application and Application Fee

- a. An application for a new tobacco retail license or a renewed tobacco retail license shall be submitted to the Department in writing upon a form provided by the Department and shall contain information as required by the Department. The Department may require the forms to be signed and verified by the applicant or an authorized agent thereof.
- b. Each application for a tobacco retail license shall be accompanied by a non-refundable application fee of \$240.
- c. Upon the receipt of a completed application for a tobacco retail license and the application fee required by Subsection B, the Department may inspect the location at which sales of a covered product are to be permitted. The Department may ask the applicant to provide additional information that is reasonably related to the determination of whether a tobacco retail license may issue.

SECTION VIII. §242-37 Issuance of Licenses

- a. No tobacco retail license shall be issued to a seller of a covered product that is not in a fixed, permanent location.

- b. The issuance of a tobacco retail license pursuant to this chapter is done in the Department's discretion and shall not confer upon licensee any property rights in the continued possession of the license.
- c. The Department shall collect from the applicant the tobacco retail license fee prescribed by §242-36(b); §242-38(b) prior to issuing a tobacco retail license.
- d. The Department may refuse to issue a tobacco retail license to an applicant if it finds that one or more of the following bases for denial exists:
 - 1. The information presented in the application is incomplete, inaccurate, false, or misleading;
 - 2. The fee for the application has not been paid as required;
 - 3. The applicant does not possess a valid certificate of registration required by state or federal law for the sale of a covered product;
 - 4. The Department has previously revoked a tobacco retail license issued under this chapter to the applicant;
 - 5. The Department has previously revoked a tobacco retail license issued under this chapter for the same address or location;
 - 6. The applicant has been found by a court of law or administrative body to have violated a federal, state, or local law pertaining to:
 - i. Trafficking in contraband tobacco products or illegal drugs;
 - ii. The payment or collection of taxes on a covered product
 - iii. The display of a covered product or of health warnings pertaining to a covered product; or
 - iv. The sale of a covered product.
 - 7. The applicant has not paid to the County of Albany outstanding fees, fines, penalties, or other charges owed to the County of Albany, including the fee for the tobacco retail license required by §242-36(b); §242-38(b); § 114-7; or
 - 8. The Department determines, in accordance with written criteria established to further the purposes of this chapter, that the applicant is otherwise not fit to hold a tobacco retail license.

SECTION IX. §242-38 License Term and Annual Fee

- a. A tobacco retail license issued pursuant to this chapter shall be valid for no more than one year and shall expire on December 31. As set forth in § 114-12 revocation of licenses, a tobacco retail license may be revoked for cause by the Department prior to its expiration.
- b. The tobacco retailer shall pay an annual tobacco retail license fee of \$240.
- c. The Director may discount the tobacco retail license fee required by §242-36(b); §242-38(b) for an application received within six months of the expiration date.

SECTION X: §242-39 Display of License

- a. A tobacco retail license issued pursuant to this chapter shall be conspicuously displayed at the location where a covered product is sold so that it is readily visible to customers.
- b. Selling, offering for sale, or permitting the sale of a covered product without a valid tobacco retail license displayed in accordance with Subsection (a) constitutes a violation of this chapter.

SECTION XI: §242-40 Number of Licenses Issued

- a. For the first year after the effective date of this chapter, the Department shall accept an application for a tobacco retail license only from an applicant for the same location at which the applicant possessed a valid certificate of registration as a tobacco retail dealer or electronic aerosol delivery system (vapor) products dealer from the New York State Department of Taxation and Finance 180 days prior to the effective date of this chapter.
- b. Beginning one year after the effective date of this chapter, the Department shall issue a renewed tobacco retail license to eligible applicants.
- c. Thereafter, the Department shall issue only one new tobacco retail license for every two tobacco retail licenses that are not renewed, until a floor of one hundred fifty (150) is reached. Thereafter, the Department shall evaluate the effect of this local law on reducing tobacco usage by reducing the density of tobacco retailers.
- d. Whenever the number of valid applications for a new tobacco retail license exceeds the maximum number of new tobacco retail licenses that may be issued pursuant to this section, the Department shall grant new tobacco retail licenses using the following priorities:
 - 1. A new tobacco retail license shall be granted, first, to an applicant for an establishment whose property line is located 1,000 feet or more from the nearest point of the property line of a school who holds but does not seek to renew a valid tobacco retail license for an establishment whose property line is within 1,000 feet of the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 2. A new tobacco retail license shall be granted, second, to an applicant whose property line is located 1,000 feet or more from the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 3. A new tobacco retail license shall be granted, third, to an applicant who will sell a covered product at an establishment where the operator restricts entry to persons 21 years and older. If there are more valid applications from these applicants than the number of available new

tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;

4. Any remaining new tobacco retail licenses shall be granted to applicants by lottery.

SECTION XII: §242-41 Sales of Electronic Aerosol Delivery Systems

No tobacco retailer whose property line is located within 1,000 feet of the nearest point of the property line of a school shall distribute without charge, sell, offer for sale, or possess with intent to sell an electronic aerosol delivery system, commonly known as vapor products or electronic cigarettes.

SECTION XIII: §242-42 Violation and Penalties; Enforcement

- a. The Department or its authorized designee(s) shall enforce the provisions of this chapter. The Department may conduct periodic inspections to ensure compliance with this chapter.
- b. In addition to the penalties provided for in § 114-12, a person found to be in violation of this chapter shall be liable for a civil penalty of not more than \$500 for the first violation, not more than \$750 for the second violation within a two-year period, and not more than \$1,000 for the third and each subsequent violation within a two-year period, or as determined by the Director. Each day on which a violation occurs shall be considered a separate and distinct violation.

SECTION XIV. § 242-43 Revocation of Licenses

- a. The Department may suspend or revoke a tobacco retail license issued pursuant to this chapter for violations of the terms and conditions of this chapter or for violation of a federal, state, or local law or regulation pertaining to:
 1. Trafficking a contraband covered product or illegal drug;
 2. The payment or collection of taxes on a covered product;
 3. The display of a covered product or of health warnings pertaining to a covered product; or
 4. The sale of a covered product.
- b. The Department may revoke a tobacco retail license if the Department finds that one or more of the bases for denial of a license under §242-37 existed at the time application was made or at any time before the license issued.

SECTION XV. §242-44 Rules and Regulations

The Department may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this chapter.

SECTION XVI. Severability

If any part or provision of this local law, or the application thereof to any individual or circumstance, is held invalid, the remainder of the local law shall not be affected thereby and shall continue in force and effect.

SECTION XVII. Effective Date

This Local Law shall take effect on January 1, 2025 and its filing with the Secretary of State as required by §27 of the New York State Municipal Home Rule Law.

Referred to Law and Health Committees – 9/9/24

LOCAL LAW “B” FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER ____ OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS THAT THE ALBANY COUNTY DEPARTMENT OF HEALTH NOTIFY LOCAL OFFICIALS REGARDING ELEVATED CONTAMINANT LEVELS FOUND IN DRINKING WATER IN ALBANY COUNTY

Introduced: 3/10/25

By Cunningham, Kuhn, Reinhardt, Miller, Feeney, Ricard, Plotsky, Lekakis, Perlee, Lockart, Alix, Beston, Cleary, Ethier, Gillespie, Lane, Laurilliard, McLaughlin, Pedo, Rosano, Whale and Willingham:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Article Creation.

Chapter __, Article __, _____, is hereby created.

Section 2. § _____ – Legislative Purpose and Intent.

This legislation is to ensure that when the Albany County Department of Health has determined, either through its own testing or from notice provided by the State of New York or any federal agency, that elevated levels of contaminants found in soil or water, including but not limited to drinking water, are a threat to public health, that the Department of Health shall provide notice to the appropriate local officials and municipalities.

Section 2. § _____ - Definition of Terms.

“Albany County” – shall mean the geographic boundaries of the County of Albany, New York.

“Contaminants” – shall mean any and all amounts of chemicals, debris, bacteria, viruses, or any other such materials not native or naturally occurring in the water supply which in increased amounts could constitute a threat to public health.

“Elevated Levels” – shall mean any amount of contaminants which are in excess of limits established either by the Albany County Department of Health, or by those State of New York or federal agencies qualified to report to the Department of Health, and which at such levels represent a threat to public health.

“Local Representatives” – shall mean those elected officials responsible to the People of Albany County, including but not limited to County Legislator, and the Mayor, Supervisor, Councilmember, Board Member or Trustee of any City, Town or Village within Albany County.

“Threat to Public Health” – shall mean a determination by the Albany County Department of Health that consumption of drinking water with sufficient contaminants as to constitute a danger to individual health and wellbeing of the People of Albany County.

Section 3. § ____ - Drinking Water Notification Requirements.

A. Within two days of the Albany County Department of Health determining, either through its own testing methods or from notice provided by the State of New York or any federal agency, that elevated levels of contaminants have been found that could impact soil or water, including but not limited to drinking water, and that pose a threat to public health, the Department of Health shall provide written notice to local representatives as follows:

- 1) The Albany County Executive; and
- 2) The Albany County Legislator(s) who represents the legislative district(s) affected by the elevated levels of contaminants; and
- 3) The Albany County Legislator(s) who represents the legislative district(s) bordering the district(s) affected by the elevated levels of contaminants; and
- 4) Each City, Town, or Village Mayor or Supervisor who represents the municipality affected by the elevated levels of contaminants; and
- 5) Each City, Town, or Village Mayor or Supervisor who represents the bordering municipality affected by the elevated levels of contaminants; and
- 6) Each City, Town, or Village Council or Board member who represents the municipality affected by the elevated levels of contaminants; and
- 7) Each City, Town, or Village Council or Board member who represents the bordering municipality affected by the elevated levels of contaminants.

B. All notifications pursuant to this Section shall be sent via regular mail, with an electronic mail following which shall contain a digital version or electronic link to the notification along with all accompanying documents and information.

Section 4. § ____ - Authority to Promulgate Appropriate Rules and Regulations.

The Albany County Department of Health is hereby authorized and empowered to promulgate all rules and regulations necessary to effectuate the implementation of this Local Law. Within 90 days of the adoption of this Local Law, the Department of Health shall report to the Albany County Legislature and the Albany County Executive with said rules and regulations, or, in the event that such rules and regulations are not complete at such time, shall provide a status report of the reasons for such delay, and additionally, shall continue to report to both the County Legislature and County Executive every 30 days thereafter with an update until such rules and regulations are completed.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, 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 of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 6. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 7. Effective Date.

This local law shall take effect immediately after its filing with the Secretary of State.

Referred to Law and Health Committees – 3/10/25



Daniel P. McCoy
County Executive

Michael P. McLaughlin, Jr.
Deputy County Executive

COUNTY OF ALBANY
DEPARTMENT OF MENTAL HEALTH
ADMINISTRATION
175 GREEN STREET
ALBANY, NEW YORK 12202
518-447-4537 FAX 518-447-4577
WWW.ALBANYCOUNTY.COM

Stephen J. Giordano, Ph.D.
Director of Mental Health

Cindy G. Hoffman, LCSW-R
Deputy Director

April 30, 2025

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham,

The Albany County Department of Mental Health respectfully requests approval to amend our 2025 budget to facilitate the pass-through of funds from the New York State Office of Addiction Services and Supports to Hospitality House. This funding supports phase one of a two-phase capital project.

The amount to be passed through to Hospitality House for phase one is \$109,353, as outlined in the proposed budget amendment. These funds are fully supported by 100% State Aid.

Please feel free to contact Michael Fitzgerald or me if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director of Mental Health

C.C. Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6542, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

The Department of Mental Health seeks approval to amend our 2025 budget to facilitate the pass-through of funds from the New York State Office of Addiction Services and Supports to Hospitality House.

Date: 4/30/25
Department: Mental Health
Attending Meeting: Dr. Stephen Giordano, Director
Submitted By: Mark Gleason
Title: Budget Analyst
Phone: 518-447-2025

Purpose of Request: Budget Amendment Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☒ No ☐
 Anticipated in Budget: Yes ☐ No ☒
 Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

Federal: 0% County: 0%
State: 100% Local: 0%

County Budget Accounts:

Revenue Account and Line: Please see attached Budget Amendment
Revenue Amount: \$109,353
Appropriation Account and Line: Please see attached Amendment
Appropriation Amount: \$109,353

ADDITIONAL INFORMATION:

Mandated Program/Service:	Yes ☐ No ☒
If Mandated, Cite Authority:	Enter text.
Request for Bids / Proposals:	
Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Mental Health respectfully requests approval to amend our 2025 budget to facilitate the pass-through of funds from the New York State Office of Addiction Services and Supports to Hospitality House. This funding supports phase one of a two-phase capital project.

The amount to be passed through to Hospitality House for phase one is \$109,353, as outlined in the proposed budget amendment. These funds are fully supported by 100% State Aid.



County of

Harold L. JoyceAlbany
County Office Building112
State Street - Albany, NY
12207

Legislation

File #: TMP-6542, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

The Department of Mental Health seeks approval to amend our 2025 budget to facilitate the pass-through of funds from the New York State Office of Addiction Services and Supports to Hospitality House.

Date: 4/30/25
Department: Mental Health
Attending Meeting: Dr. Stephen Giordano, Director
Submitted By: Mark Gleason
Title: Budget Analyst
Phone: 518-447-2025

Purpose of Request: Budget Amendment Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

Federal: 0% County: 0%
State: 100% Local: 0%

County Budget Accounts:

Revenue Account and Line: Please see attached Budget Amendment
Revenue Amount: \$109,353
Appropriation Account and Line: Please see attached Amendment
Appropriation Amount: \$109,353

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:

Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Mental Health respectfully requests approval to amend our 2025 budget to facilitate the pass-through of funds from the New York State Office of Addiction Services and Supports to Hospitality House. This funding supports phase one of a two-phase capital project.

The amount to be passed through to Hospitality House for phase one is \$109,353, as outlined in the proposed budget amendment. These funds are fully supported by 100% State Aid.

Albany County Department of Mental Health										2025 Budget Amendment		
		BUDGET LINE			DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME			
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY								
A9	4230	44416	10000		Hospitality House	\$109,353		\$1,190,540	Mental Health			
					TOTAL APPROPRIATIONS	\$109,353	\$0					
		BUDGET LINE			DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME			
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY								
A3	4230	03486			Narcotics Addiction Control		\$109,353	\$8,578,530	Mental Health			
					TOTAL REVENUES	\$0	\$109,353					
					GRAND TOTAL	\$109,353	\$109,353					

New York State Office of
State Aid F

County: Albany (1)

Fiscal Year

Region: Hudson

Agency Number/Name	Init Code	Program Code/Index	PRU Direct	Gross	Revenue
00170 Hospitality House T.C., Inc.	12	3600 00	53452	4,063,813	2,924,758
Agency 00170 Total:				4,063,813	2,924,758

of Addiction Services and Supports
Funding Authorization

SBRRPALB
04/28/2025 1

ar : 2025

As of: 04/28/2025

Approved Budgeted Amounts							Re Co
Net	Funded Net	Funding Code/Source	One- time	Approved State Aid	Local Share	Non- Funded	
1,139,055	1,139,055	013S		1,029,702	0	0	
		013S	0	109,353		0	
		Program:		1,139,055	0	0	
1,139,055	1,139,055	All		1,139,055	0	0	

100

1:25

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estr.

ode

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Daniel P. McCoy
County Executive

Michael P. McLaughlin, Jr.
Deputy County Executive

COUNTY OF ALBANY
DEPARTMENT OF MENTAL HEALTH
ADMINISTRATION
175 GREEN STREET
ALBANY, NEW YORK 12202
518-447-4537 FAX 518-447-4577
WWW.ALBANYCOUNTY.COM

Stephen J. Giordano, Ph.D.
Director of Mental Health

Cindy G. Hoffman, LCSW-R
Deputy Director

April 30, 2025

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham,

The Albany County Department of Mental Health respectfully requests approval to accept funding from the Albany City Police Department to support a Street Psychiatry pilot program. Additionally, we seek permission to do a budget adjustment to reallocate existing staffing resources within the ACDMH budget into more appropriate personnel lines. This reallocation is essential for building a robust team that will enable this new initiative to move the dial on addressing homelessness among individuals with behavioral health challenges.

As previously noted, Street Psychiatry is an innovative and nationally recognized model for delivering community-based behavioral health services to vulnerable populations, many of whom are unhoused. This program engages individuals who have historically been unable or unwilling to participate in traditional, office-based services.

The pilot program will build upon existing community behavioral health infrastructure and will enhance the current range of services provided by the Department of Mental Health, including crisis response and outreach. It will involve additional staff dedicated to public outreach, support, and treatment for vulnerable and unhoused individuals in Albany County.

Please feel free to contact Michael Fitzgerald or me if you have any questions regarding this request.

Sincerely,

Stephen Giordano, Ph.D.
Director of Mental Health

C.C. Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6577, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

The Albany County Department of Mental Health respectfully requests approval to accept funding from the Albany City Police Department to support a Street Psychiatry pilot program. Additionally, we seek permission to do a budget adjustment to reallocate existing staffing resources within the ACDMH budget into more appropriate personnel lines.

Date: 4/30/25
Department: Mental Health
Attending Meeting: Dr. Stephen Giordano, Director
Submitted By: Mark Gleason
Title: Budget Analyst
Phone: 518-447-2025
Purpose of Request: Budget Amendment Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☐ No ☒
Spreadsheet attached: Yes ☒ No ☐

Source of Funding - (Percentages)

Federal:	0%	County:	29%
State:	0%	Local:	71%

County Budget Accounts:

Revenue Account and Line:	See Attached Budget Amendment
Revenue Amount:	\$353,570
Appropriation Account and Line:	See Attached Budget Amendment
Appropriation Amount:	\$353,570

ADDITIONAL INFORMATION:

Mandated Program/Service:	Yes ☐ No ☒
If Mandated, Cite Authority:	Enter text.
Request for Bids / Proposals:	
Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: N/A

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Mental Health respectfully requests approval to accept funding from the Albany City Police Department to support a Street Psychiatry pilot program. Additionally, we seek permission to do a budget adjustment to reallocate existing staffing resources within the ACDMH budget into more appropriate personnel lines. This reallocation is essential for building a robust team that will enable this new initiative to move the dial on addressing homelessness among individuals with behavioral health challenges.

As previously noted, Street Psychiatry is an innovative and nationally recognized model for delivering community-based behavioral health services to vulnerable populations, many of whom are unhoused. This program engages individuals who have historically been unable or unwilling to participate in traditional, office-based services.

The pilot program will build upon existing community behavioral health infrastructure and will enhance the current range of services provided by the Department of Mental Health, including crisis response and outreach. It will involve additional staff dedicated to public outreach, support, and treatment for vulnerable and unhoused individuals in Albany County.

Department of Mental Health

APPROPRIATIONS							
USE WHOLE NUMBERS ONLY							
BUDGET LINE				DESCRIPTION		INCREASE	
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY			
				STATE POS. CODE	POSITION CONTROL		
A9	4310	12134	10000	002	430278	Supervising Psychiatric Nurse	\$41,747
A9	4310	12754	10000	006	430279	Mental Health Clinician II	\$31,725
A9	4310	15183	10000	009	430280	Health Home Care Manager	\$26,963
A9	4310	15027	10000	005	430281	Peer Advocate	\$21,172
A9	4310	12204	10000	001	430119	CASAC	\$26,963
A9	4310	12753	10000	001	430251	Super. Mental Health Clinician	
A9	4310	22050	STR25			Computer Equipment	\$6,500
A9	4310	22425	STR25			Vehicles	\$180,000
A9	4310	22999	STR25			Miscellaneous Equipment	\$3,000
A9	4310	44038	STR25			Travel-Mileage, Freight	\$1,000
A9	4310	44042	STR25			Printing & Advertising	\$1,000
A9	4310	44039	STR25			Conference Training & Tuition	\$1,000
A9	4310	44046	STR25			Fees for Services	\$12,500
A9	4310	44046	10000			Fees for Services	
TOTAL APPROPRIATIONS							\$353,570

ESTIMATED REVENUES							
USE WHOLE NUMBERS ONLY							
BUDGET LINE				DESCRIPTION		DECREASE	
FUND	ORG	OBJ	PROJECT	FOR POSITIONS ONLY			
				STATE POS. CODE	POSITION CONTROL		
A2	4310	02770				Other Unclassified Revenue	
TOTAL REVENUES							\$0
GRAND TOTAL							\$353,570

2025 Budget Amendment

DECREASE	UNIT COST	DEPARTMENT NAME
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	\$83,494	Mental Health
	\$63,450	Mental Health
	\$53,926	Mental Health
	\$42,343	Mental Health
	\$53,926	Mental Health
\$17,070	\$83,494	Mental Health
	\$6,500	Mental Health
	\$180,000	Mental Health
	\$5,000	Mental Health
	\$4,000	Mental Health
	\$5,000	Mental Health
	\$5,000	Mental Health
	\$12,500	Mental Health
\$86,500		Mental Health
\$103,570		

INCREASE	UNIT COST	DEPARTMENT NAME
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\$250,000		Mental Health
\$250,000		
\$353,570		



KATHY M. SHEEHAN
MAYOR



CITY OF ALBANY
DEPARTMENT OF POLICE
165 HENRY JOHNSON BOULEVARD
ALBANY, NEW YORK 12210
TELEPHONE (518) 462-8012



BRENDAN COX
CHIEF OF POLICE

May 5, 2025

Daniel P. McCoy
Albany County Executive
112 State Street Room 1200
Albany, New York 12207

Dear Mr. McCoy:

The Albany Police Department is proud to partner with Albany County on building a dedicated Street Psychiatry Team within the City of Albany. We understand the struggles of those afflicted with unmet behavioral health issues and especially those that are unsheltered and recognize this partnership brings about an opportunity to provide unique services to individuals in their own environment.

The police department is dedicating \$250,000 to this initiative which will be available upon the execution of the Memorandum of Agreement between the City and County.

Please let me know if you need any further information. I look forward to our continued partnership.

Thank you,

Brendan J Cox
Chief of Police

BJC/et



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: 25-123, **Version:** 1

RESOLUTION NO. 123

AMENDING THE 2025 ALBANY COUNTY BUDGET: STREET PSYCHIATRY PROGRAM

Introduced: 4/14/25

By R. Joyce, Lane, Miller, Pedo, Willingham, Ethier, Lekakis and Ricard:

WHEREAS, The County Executive has requested authorization to amend the 2025 Albany County Budget by transferring funds from the Albany County Improvement Initiative Fund to the Department of Mental Health to be used to support the launch of the Street Psychiatry Program, now, therefore, be it

RESOLVED, By the Albany County Legislature that the 2025 Albany County Budget is amended as follows:

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.



DANIEL P. McCOY
County Executive

DEPARTMENT OF HEALTH
COUNTY OF ALBANY
175 GREEN STREET
ALBANY, NEW YORK 12202
The Dr. John J.A. Lyons
ALBANY COUNTY HEALTH FACILITY
(518) 447-4580 FAX (518) 447-4698
www.albanycountyny.gov

TRICIA BULATAO, MS, RDN
Deputy Commissioner of Health

MARIBETH MILLER, RN, BSN, MS
Interim Commissioner of Health

RANSOM E. MOORE III
Assistant Commissioner
Finance & Administration

May 7, 2025

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham:

The Albany County Department of Health (ACDOH) requests authorization to enter into a contract with Cornell Cooperative Extension (CCE) for Lead Abatement Worker and Lead Abatement Supervisor training. ACDOH is working with CCE to help provide an ongoing workforce to meet the increasing workload presented by the NYS Lead Rental Registry. CCE will provide 14 Abatement Worker courses for a total cost of \$39,200 to landlords, contractors or whoever may need to be certified to perform lead-based paint abatement. CCE will also provide 12 Abatement Supervisor courses at a total cost of \$48,000. These trainings will be funded via the Lead Rental Registry program.

Please don't hesitate to contact me if you have any questions or need additional information.

Sincerely,

Maribeth Miller, BSN, MS
Interim Commissioner of Health

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel

Enclosures



Albany County Department of Health is nationally accredited and meets rigorous public health standards set forth to best meet the needs of our community.



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6580, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization Request with Cornell Cooperative Extension for Lead Rental Registry Trainings

Date: May 7, 2025
Department: Health
Attending Meeting: Maribeth Miller
Submitted By: Ransom Moore
Title: Interim Commissioner of Health
Phone: 518-447-4695

Purpose of Request: Contract Authorization Lead Rental Registry Courses

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:

Cornell Cooperative Extension - Albany County
24 Martin Road
Voorheesville, NY 12186

Term: (Start/end date or duration) 12/1/2025 - 3/31/2029
Amount/Raise Schedule/Fee: 14 Abatement Worker courses - \$39,200
12 Abatement Supervisor courses - \$48,000

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☒ No ☐
Spreadsheet attached: Yes ☐ No ☒

Source of Funding - (Percentages)

Federal: County:
State: 100% Local:

County Budget Accounts:

Revenue Account and Line: A.4010.03470
Lead Rental Registry Program
Revenue Amount: \$848,000
Appropriation Account and Line: A.4010.44046
Fees For Services

Appropriation Amount: \$87,200

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒

If Mandated, Cite Authority:

Request for Bids / Proposals:

Competitive Bidding Exempt: Yes ☒ No ☐

of Response(s):

of MWBE:

of Veteran Business:

Bond Resolution No.:

Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Resolution 24-193

April 8, 2024

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Health (ACDOH) requests authorization to enter into a contract with Cornell Cooperative Extension (CCE) for Lead Abatement Worker and Lead Abatement Supervisor training. ACDOH is working with CCE to help provide an ongoing workforce to meet the increasing workload presented by the NYS Lead Rental Registry. CCE will provide 14 Abatement Worker courses for a total cost of \$39,200 to landlords, contractors or whoever may need to be certified to perform lead-based paint abatement. CCE will also provide 12 Abatement Supervisor courses at a total cost of \$48,000. These trainings will be funded via the Lead Rental Registry program.

Memorandum of Understanding (MOU)

This is an agreement between

Cornell Cooperative Extension of Albany County (CCE)

And

Albany County Department of Health

I. PURPOSE & SCOPE

This Memorandum of Understanding (MOU) establishes a framework for collaboration between Cornell Cooperative Extension Albany County (CCE Albany), and the Albany County Department of Health (ACDOH) for Lead Abatement Worker and Lead Abatement Supervisor training.

II. BACKGROUND

The New York State Rental Registry which focuses on preventing childhood lead poisoning by requiring landlords in certain communities to remove lead hazards from rental units built before 1980 will be expected to take effect in November of 2025, in Albany County. Cornell Cooperative Extension, Albany County is certified by the Environmental Protection Agency to provide the Lead Abatement Worker training course and anticipates being certified by the Environmental Protection Agency to provide the Abatement Supervisor training course by December of 2025. ACDOH is working to help provide an ongoing work force to meet the increasing workload presented by the NYS Lead Rental Registry.

III. CCE RESPONSIBILITIES UNDER THIS MOU

CCE shall undertake the following activities:

Cornell Cooperative Extension will provide (14) Abatement Worker courses (total cost for these trainings \$39,200) to landlords, contractors or whoever may need to be certified to perform lead-based paint abatement. They will also provide (12) Abatement Supervisor courses (total cost for these trainings \$48,000). Course descriptions are as follows:

Lead Abatement Supervisor Initial

A certified lead-abatement supervisor oversees the lead-abatement construction process. The supervisor must understand the dangers of lead, how to safely remove it, how to protect workers and other occupants, proper lead-abatement practices and methods, compliance with the Environmental Protection Agency regulations as well as State and local regulations. This 32-hour Course is for anyone supervising on-site lead-based paint abatement activities. Educational topics include the health effects of lead, understanding legal liabilities, lead hazard control strategies, proper PPE, sufficient construction containment setup, and other factors to ensure lead abatement jobs are conducted effectively, and safely. This course is designed to meet the requirements of 40 CFR Part 745-Lead; Requirements for Lead-based Paint Activities in Target Housing and Child-Occupied Facilities, a federal regulation under section 402 of the Toxic Substances Control Act (TSCA). After completion of this course, passing a third-party exam, completing the EPA application and paying applicable fees, participants are

considered an official EPA certified Lead-Abatement Supervisor with refresher courses required to maintain certification.

Lead Abatement Worker Initial

The EPA Model Lead Abatement Worker course is designed to train workers to abate lead-based paint hazards safely. Lead Abatement Workers understand what lead is, the dangers it poses, where it can be found, and how to safely and effectively cover or remove it. This 16-hour course teaches on-site lead abatement personnel about the dangers of lead, including but not limited to, the health effects, the role and responsibilities of a worker, compliance with Environmental Protection Agency regulations as well as State and local regulations, lead abatement hazard reduction practices, and proper PPE for lead-based paint hazard control projects. This course is designed to meet the requirements of 40 CFR Part 745-Lead; Requirements for Lead-based Paint Activities in Target Housing and Child-Occupied Facilities, a federal regulation under section 402 of the Toxic Substances Control Act (TSCA). It also meets the training requirements of HUD's Lead-Safe Housing rule (24 CFR Part 35, et al.) for renovation, maintenance, and remodeling workers who disturb lead. After completion of this course, completing the EPA application and paying applicable fees, participants are considered official EPA certified Lead-Abatement Workers with refresher courses required to maintain certification.

IV. ASSOCIATE RESPONSIBILITIES UNDER THIS MOU:

The Albany County Department of Health agrees:

V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

To the extent permitted by law each party to this Agreement shall hold harmless, indemnify, and defend with reasonable attorney fees the other party, their officers, directors, trustees, employees, volunteers, and agents from and against injury to any person, including death, or damage to property caused by the negligent acts or omissions of the indemnifying party, its employees, or agents. If it is determined that both parties contributed to the injury or damage each party shall be responsible for its comparative negligence in causing the injury or damage.

Each party shall maintain commercial general liability insurance of not less than \$1,000,000 per occurrence covering its operations related to this Agreement and obligations herein and shall name the other an Additional Insured.

VI. EFFECTIVE DATE AND SIGNATURE:

This MOU shall be in effect upon the signature of Cornell Cooperative Extension of Albany County and the Albany County Department of Health. It shall be in force from 12/1/2025 to 3/31/2029.

Parties indicate agreement with this MOU by their signatures.

Lisa V. Godlewski
Executive Director
CCE Albany County

Albany County Department of Health

Date: _____

Date: _____

DRAFT

RESOLUTION NO. 193

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF COMMUNITY ENVIRONMENTAL HEALTH AND FOOD PROTECTION REGARDING THE LEAD RENTAL REGISTRY PROGRAM

Introduced: 4/8/24

By Health Committee, Cunningham, Feeney, Beston, Commisso, Ethier, Fein, A. Joyce, Laurilliard, Lekakis, Mayo, McLaughlin, Miller, Pedo, Plotsky, Reidy, Ricard, Robinson, Rosano and Willingham:

WHEREAS, The Interim Commissioner of the Albany County Department of Health (ACDOH) has requested authorization to enter into an agreement with the New York State Department of Health Bureau of Community Environmental Health and Food Protection to accept Lead Rental Registry Program funding in the amount of \$848,000 per year for a total amount of \$4,240,000 for a five-year term commencing April 1, 2024 and ending March 31, 2029, and

WHEREAS, ACDOH has indicated that it will utilize this funding to raise public awareness of the Lead Rental Registry, identify at-risk communities within the County, provide clear guidance to property owners, mandate lead safety certifications for rental properties, and prioritize preventative measures to ensure lead-safe rental units to mitigate lead exposure in children, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with New York State Department of Health Bureau of Community Environmental Health and Food Protection to accept Lead Rental Registry Program funding in the amount of \$848,000 per year for a total amount of \$4,240,000 for a five-year term commencing April 1, 2024 and ending March 31, 2029, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, 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.

Adopted by unanimous vote – 4/8/24

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 8th day of April, 2024, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 11th day of April, 2024.

A handwritten signature in cursive script, reading "Nicole Chamberlain", is written over a horizontal line.

Clerk, Albany County Legislature



DANIEL P. McCOY
County Executive

DEPARTMENT OF HEALTH
COUNTY OF ALBANY
175 GREEN STREET
ALBANY, NEW YORK 12202
The Dr. John J.A. Lyons
ALBANY COUNTY HEALTH FACILITY
(518) 447-4580 FAX (518) 447-4698
www.albanycountyny.gov

TRICIA BULATAO, MS, RDN
Deputy Commissioner of Health

MARIBETH MILLER, RN, BSN, MS
Interim Commissioner of Health

RANSOM E. MOORE III
Assistant Commissioner
Finance & Administration

May 7, 2025

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham:

The Albany County Department of Health (ACDOH) requests authorization to accept and enter into a two-year contract extension with the New York State Department of Health for the Rabies Grant Program. The extension's annual grant award remains \$49,072 from April 1, 2025 through March 31, 2027 for a total of \$98,144 in additional funding. This continued funding was expected and included in ACDOH's 2025 budget. We will use these grant funds to cover reimbursement for the costs of mandatory human rabies treatment, preparation & shipment of animal specimens, pet vaccination clinics, and education & prevention activities.

Please don't hesitate to contact me if you have any questions or need additional information.

Sincerely,

Maribeth Miller, BSN, MS
Interim Commissioner of Health

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel

Enclosures



Albany County Department of Health is nationally accredited and meets rigorous public health standards set forth to best meet the needs of our community.

Appropriation Amount: \$49,072 annually

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☒ No ☐

If Mandated, Cite Authority: NYS Public Health Law - PBH § 2145

Request for Bids / Proposals:

Competitive Bidding Exempt: Yes ☐ No ☒

of Response(s):

of MWBE:

of Veteran Business:

Bond Resolution No.:

Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Resolution 22-252
July 11, 2022

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Health (ACDOH) requests authorization to accept and enter into a two-year contract extension with the New York State Department of Health for the Rabies Grant Program. The extension's annual grant award remains \$49,072 from April 1, 2025 through March 31, 2027 for a total of \$98,144 in additional funding. This continued funding was expected and included in ACDOH's 2025 budget. We will use these grant funds to cover reimbursement for the costs of mandatory human rabies treatment, preparation & shipment of animal specimens, pet vaccination clinics, and education & prevention activities.



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

April 22, 2025

Maribeth Miller
Interim Commissioner
Albany County
Albany County Department of Health
175 Green Street
Albany, NY 12202

Dear Ms. Miller,

I am writing to inform you that Albany County has been awarded a two year extension on your existing Rabies Program Contract. Your contract will be amended to add the 4/1/25 – 3/31/27 periods at the current annual amount. The contract number for your county is C36516GG, which must be used on all documents and communications regarding this contract. Your contract amendment will be executed via the State Financial System.

Your estimated annual grant award for each year of this contract, starting April 1, 2022 through March 31, 2027, will remain \$49,072.00. Your amended five-year total contract value is \$245,360.00. Reimbursement is dependent on the actual number of human rabies treatments, specimens collected, pet vaccination clinics, and education and prevention activities, and cannot exceed the estimated allocation. Supporting documentation must accompany your request for reimbursement.

Final grant awards are contingent on the review and approval of the Office of the State Comptroller.

We look forward to working with you on the successful implementation of the project. If you have any questions, please call Kimberley Seward at (518) 473-4439.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Seward", written over a light blue horizontal line.

Kimberley Seward
Health Program Administrator I
Bureau of Communicable Disease Control

RESOLUTION NO. 252**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH REGARDING THE RABIES GRANT PROGRAM**

Introduced: 7/11/22

By Health Committee and Mr. Miller:

WHEREAS, The Commissioner of Health has requested authorization to enter into an agreement with the New York State Department of Health regarding the Rabies Grant Program in an amount of \$49,072 per year for a total amount of \$147,216 for the term commencing April 1, 2022 and ending March 31, 2025, and

WHEREAS, The Commissioner has indicated that the funding will be used to cover reimbursements for the costs of mandatory human rabies treatment, preparation and shipment of animal specimens, pet vaccination clinics, and education and prevention activities, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Department of Health regarding the Rabies Grant Program in an amount of \$49,072 per year for a total amount of \$147,216 for the term commencing April 1, 2022 and ending March 31, 2025, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, 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.

Adopted by unanimous vote – 7/11/22

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 11th day of July, 2022, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 12th day of July, 2022.


Clerk, Albany County Legislature



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTYNY.GOV

MICHAEL P. McLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

April 29, 2025

The Honorable Joanne Cunningham
Chairwoman, Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham,

The purpose of this request for legislative action is to amend the budget to establish the reserves necessary for the creation of the Regional Expansion of Albany County Healthcare Cooperative (REACH Co-op), Albany County's future healthcare Co-op. The Co-op is required by the NYS Insurance Department, within the Department of Financial Services, to establish sufficient financial reserves to begin working as a Healthcare Cooperative.

This is a necessary step in the creation of the REACH Co-op, the Co-op will increase the number of covered lives within our self-insured ecosystem allowing for local municipalities to come under the umbrella of Albany County's health insurance plans. This will help to keep costs low for Albany County, while lowering costs for our municipal partners and raising the level of care they can provide to their employees.

This request would amend the FY 2025 to transfer \$3 million from the Undesignated Fund Balance to the reserve fund of the REACH Co-op. We are also requesting the ability for the Commissioner of Management and Budget to have the ability to transfer these funds to an external (REACH Co-op Reserves) account once REACH Co-op is fully formed. This is a required step in the formation of the Co-op as required by the Title 47 processes for establishment of the Co-op. Other municipal partners involved in the REACH Co-op will reimburse Albany County in out years for their portion of the reserves.

Please advise if there are any questions.

Sincerely

Daniel P. McCoy

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

..title

Authorization to fund the reserves of the Regional Expansion of Albany County Healthcare Cooperative

..body

Date:	5/2/25	Submitted By:	Josh Beams
Department:	CEO	Title:	Sr. Policy Analyst
Attending Meeting:	Dave Riley, Josh Beams	Phone:	518-447-7040

Purpose of Request: Budget Amendment Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:

Enter text.

Term: (Start/end date or duration)	Enter text.
Amount/Raise Schedule/Fee:	Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact:	Yes ☒ No ☐
Anticipated in Budget:	Yes ☐ No ☒
Spreadsheet attached:	Yes ☒ No ☐

Source of Funding – (Percentages)

Federal:	Enter text.	County:	100%
State:	Enter text.	Local:	Enter text.

County Budget Accounts:

Revenue Account and Line:	A0599 Appropriated Fund Balance
Revenue Amount:	\$3,000,000
Appropriation Account and Line:	A 1432 44094
Appropriation Amount:	\$3,000,000

ADDITIONAL INFORMATION:

Mandated Program/Service:	Yes ☐ No ☒
If Mandated, Cite Authority:	Enter text.
Request for Bids / Proposals:	
Competitive Bidding Exempt:	Yes ☒ No ☐
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

Albany County will join the Regional Expansion of Albany County Healthcare Cooperative (REACH Co-op) for the purpose of providing employee health insurance. REACH Co-op is required under NYS Insurance Law to establish sufficient financial reserves to establish and begin working as a healthcare coop.

ADOPTED**Resolution No. 2010-119**

**Authorization to Contribute to the Reserves of the Greater Tompkins County
Municipal Health Insurance Consortium**

WHEREAS, Tompkins County shall join the Greater Tompkins County Municipal Health Insurance Consortium for the purpose of providing employee health insurance and prescription drug coverage, and

WHEREAS, the Consortium, as required by the New York State Insurance Department, must establish sufficient financial reserves to begin working as a consortium, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That Tompkins County shall contribute as listed as Estimated Initial Capitalization in the following table:

	Initial Capitalization
County of Tompkins	500,000
City of Ithaca	300,000
Town of Ithaca	137,033
Town of Caroline	37,000
Town of Danby	62,000
Town of Dryden	137,032
Town of Enfield	2,520
Town of Groton	6,305
Town of Ulysses	5,659
Village of Cayuga Heights	18,040
Village of Dryden	6,067
Village of Groton	7,545
Village of Trumansburg	<u>4,535</u>
	1,223,736

RESOLVED, further, That the Director of Finance is authorized to make payment immediately to the Consortium from General Fund Fringe Account 9101.58800.

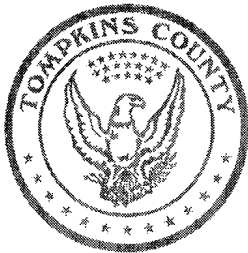
SEQR ACTION: TYPE II-20

**Resolution No. 2010-119 Authorization to Contribute to the Reserves of the Greater
Tompkins County Municipal Health Insurance Consortium**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Dennis, Member
SECONDER:	Nathan Shinagawa, Member
AYES:	Burbank, Chock, Dennis, Luz Herrera, Lane, Mackesey, McBean-Clairborne, McKenna, Proto, Pryor, Robertson, Robison, Shinagawa, Stein
EXCUSED:	Dooley Kiefer

STATE OF NEW YORK)
) ss:
COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the
Tompkins County Legislature on August 3, 2010.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
the said Legislature at Ithaca, New York, on August 4, 2010.

Catherine Corcoran, Clerk
Tompkins County Legislature

APPROPRIATIONS									
BUDGET LINE					DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY					
				STATE POS. CODE	POSITION CONTROL				
A9	1432	44094	10000			REACH Co-Op	\$3,000,000	\$3,000,000	Human Resources
TOTAL APPROPRIATIONS							\$3,000,000	\$0	

ESTIMATED REVENUES									
BUDGET LINE					DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY					
				STATE POS. CODE	POSITION CONTROL				
A		0599				Appropriated Fund Balance	\$3,000,000		
TOTAL REVENUES							\$0	\$3,000,000	
GRAND TOTAL							\$3,000,000	\$3,000,000	

APPROPRIA

BUDGET LINE				DESCRIPTION	
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY	
				STATE POS. CODE	POSITION CONTROL
A		0599			Appropriated Fund Balance
A	99901	99901	10000		Interfund Transfer
G	99901	99901	10000		Interfund Transfer
G		00599			Appropriated Fund Balance
G9	8110	19954	10000		Enhanced Pay
G9	8130	19954	10000		Enhanced Pay
TOTAL APPROPRIATIONS					

ESTIMATED RE

BUDGET LINE				DESCRIPTION	
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY	
				STATE POS. CODE	POSITION CONTROL
G	55031	05031			Interfund Transfer
TOTAL REVENUES					
GRAND TOTAL					

TIONS			
INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
	\$36,000		General Fund
\$36,000			General Fund
\$36,000			Water Purification
	\$36,000		Water Purification
\$12,000		\$17,000	Water Purification District - Administration
\$24,000		\$129,000	Water Purification District - Sewage Treatment
\$108,000	\$72,000		

VENUES			
DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
	\$36,000		Water Purification
\$0	\$36,000		
\$108,000	\$108,000		



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTYNY.GOV

MICHAEL P. McLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

April 29, 2025

The Honorable Joanne Cunningham
Chairwoman, Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham,

The purpose of this request for legislation is to amend resolution 93-164 to extend Defense and Indemnification to County Employees working on the Regional Expansion of Albany county Healthcare Cooperative (REACH Co-op) Albany County's future healthcare Co-op.

This is a necessary step in the creation of the REACH Co-op, the Co-op will increase the number of covered lives within our self-insured ecosystem by allowing for local municipalities to come under the umbrella of Albany County's self-insured health insurance plans. This will help to keep costs low for Albany County, while lowering costs for our municipal partners and raising the level of care they can provide to their employees.

This request would amend resolution 93-164 "AUTHORIZING THE DEFENSE AND INDEMNIFICATION OF COUNTY OFFICERS AND EMPLOYEES PURSUANT TO PUBLIC OFFICERS LAW SECTION 18" to include employees that are working with and or for the to be formed organization known as the "Regional Expansion of Albany county Healthcare Cooperative".

Please advise if there are any questions.

Sincerely

Daniel P. McCoy

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6558, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Amending Resolution 93-164 to extend Defense and Indemnification to County Employees working on the Regional Expansion of Albany county Healthcare Cooperative (REACH Co-op).

Date: 4/29/2025

Department: CEO

Attending Meeting: Josh Beams

Submitted By: Josh Beams

Title: Sr. Policy Analyst

Phone: 518-447-7040

Purpose of Request: Amending prior Legislation Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:

Enter text.

Term: (Start/end date or duration) Enter text.

Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☐ No ☒

Anticipated in Budget: Yes ☐ No ☒

Spreadsheet attached: Yes ☐ No ☒

Source of Funding - (Percentages)

Federal: Enter text. County: Enter text.

State: Enter text. Local: Enter text.

County Budget Accounts:

Revenue Account and Line: Enter text.

Revenue Amount: Enter text.

Appropriation Account and Line: Enter text.

Appropriation Amount: Enter text.

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒

If Mandated, Cite Authority: Enter text.

Request for Bids / Proposals:

Competitive Bidding Exempt: Yes ☐ No ☒

of Response(s): Enter text.

of MWBE: Enter text.

of Veteran Business: Enter text.

Bond Resolution No.: Enter text.

Apprenticeship Program Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: 93-164

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

Amending Resolution 93-164 to extend Defense and Indemnification to County Employees working on the Regional Expansion of Albany county Healthcare Cooperative (REACH Co-op) as provided by Public Officers Law Section 18.

RESOLUTION NO. 164

AUTHORIZING THE DEFENSE AND INDEMNIFICATION OF COUNTY OFFICERS AND EMPLOYEES PURSUANT TO PUBLIC OFFICERS LAW SECTION 18

By Messrs. Commisso, Sherman, Collins and Crummey:

WHEREAS, The County Legislature wishes to declare as the purpose of this resolution that it desires to provide legal and financial protection for those individuals serving the County of Albany from losses which may result from legal actions which may be brought against said individuals in their individual capacity for actions taken in the performance of their official duties and responsibilities, and

WHEREAS, Public Officers Law Section 18 provides for the defense and indemnification of officers and employees of public entities such as the County of Albany whose governing body has agreed by the adoption of, among other options, a resolution, to confer the benefits of Public Officers Law Section 18 upon its employees and be held liable for the costs incurred under these provisions, and

WHEREAS, In adopting this resolution the County Legislature finds that the State of New York has enacted similar provisions for the legal and financial security of its officers and employees, and

WHEREAS, The County Legislature further finds that such security is also required for its officers and employees, and

WHEREAS, By adopting the within resolution the County Legislature does not intend to limit or otherwise abrogate any existing right or responsibility of the County of Albany or its employees with regard to indemnification or legal defense, now, therefore, be it

RESOLVED, That the County Legislature of the County of Albany confers and hereby adopts the provisions of Public Officers Law Section 18 as set out herein and the County assumes and is hereby liable for the costs incurred thereunder as follows:

DEFENSE AND INDEMNIFICATION

1. As used in this resolution, unless the context otherwise requires the term "employee" shall mean any person holding a position by election, appointment or employment in the service of the County, whether or not compensated, or a volunteer expressly authorized to participate in a County-

sponsored volunteer program, but shall not include an independent contractor. The term employee shall include a former employee, his estate or judicially appointed personal representative.

a. Upon compliance by the employee with the provisions of this resolution, the County shall provide for the defense of the employee in any civil action or proceeding in any state or federal court arising out of any alleged act or omission which occurred or is alleged in the complaint to have occurred while the employee was acting within the scope of his public employment or duties; or which is brought to enforce a provision of section nineteen hundred eighty-one or nineteen hundred eighty-three of title forty-two of the United States code and the act or omission underlying the action occurred or is alleged in the complaint to have occurred while the employee was acting within the scope of his public employment or duties. This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or on behalf of the County.

b. Subject to the conditions set forth in paragraph "a" of this subdivision, the employee shall be entitled to be represented by the County Attorney, provided, however, that the employee shall be entitled to representation by private counsel of his choice in any civil judicial proceeding whenever the County Attorney determines based upon his investigation and review of the facts and circumstances of the case that representation by the County Attorney would be inappropriate, or whenever a court of competent jurisdiction, upon appropriate motion or by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of his choice. The County Attorney shall notify the employee in writing of such determination that the employee is entitled to be represented by private counsel. The County Attorney may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. If the employee or group of employees is entitled to representation by private counsel under the provisions of this section, the County Attorney shall so certify to the Comptroller. Reasonable attorneys' fees and litigation expenses shall be paid by the County to such private counsel from time to time during the pendency of the civil action or proceeding subject to certification that the employee is entitled to representation under the terms and conditions of this section by the head of the department, commission, division,

office or agency in which such employee is employed and upon the audit and warrant of the Comptroller. Any dispute with respect to representation of multiple employees by a single counsel or the amount of litigation expenses or the reasonableness of attorneys' fees shall be resolved by the Court upon motion or by way of a special proceeding.

c. Where the employee delivers process and a request for a defense to the County Attorney as required by section 4, the County Attorney shall take the necessary steps including the retention of private counsel under the terms and conditions provided in paragraph "b" of subdivision two of this resolution on behalf of the employee to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

2.

a. The County shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in any state or federal court, or in the amount of any settlement of a claim, or shall pay such judgment or settlement; provided, that the act or omission from which such judgment or settlement arose occurred while the employee was acting within the scope of his public employment or duties; the duty to indemnify and save harmless or pay prescribed by this subdivision shall not arise where the injury or damage resulted from intentional wrongdoing on the part of the employee.

b. An employee represented by the County Attorney or by private counsel pursuant to this resolution shall cause to be submitted to the head of the department, commission, division, office or agency in which he is employed any proposed settlement which may be subject to indemnification or payment by the County and if not inconsistent with the provisions of this section such head of the department, commission, division, office or agency in which he is employed shall certify such settlement, and submit such settlement and certification to the County Attorney. The County Attorney shall review such proposed settlement as to form and amount, and shall give his approval if in his judgment the settlement is in the best interest of the County. Nothing in this subdivision shall be construed to authorize the County to indemnify and save harmless or pay an employee with respect to a settlement not so reviewed and approved by the County Attorney.

c. Nothing in this subdivision shall authorize the County to indemnify or save harmless an employee with respect to fines or penalties, or money recovered from an employee; provided, however, that the County shall indemnify and save harmless its employees in the amount of any costs, attorney's fees, damages, fines or penalties which may be imposed by reason of an adjudication that an employee, acting within the scope of his public employment or duties, has, without willfulness or intent on his part, violated a prior order, judgment, consent decree or stipulation of settlement entered in any Court of this State or of the United States. The County Attorney shall promulgate such rules and regulations as are necessary to effectuate the purposes of this subdivision.

d. Upon entry of a final judgment against the employee, or upon the settlement of the claim, the employee shall cause to be served a copy of such judgment or settlement, personally or by certified or registered mail within thirty days of the date of entry or settlement, upon the head of the department, commission, division, office or agency in which he is employed; and if not inconsistent with the provisions of this section, such judgment or settlement shall be certified for payment by such head of the department, commission, division, office or agency. If the County Attorney concurs in such certification, the judgment or settlement shall be paid upon the audit and warrant of the Comptroller. On or before October fifteenth the Comptroller, in consultation with the Department of Law and other agencies as may be appropriate, shall submit to the County Executive and the Legislature an annual accounting of judgments, settlements, fees, and litigation expenses paid pursuant to this resolution during the preceding and current fiscal years. Such accounting shall include, but not be limited to the number, type and amount of claims so paid, as well as an estimate of claims to be paid during the remainder of the current fiscal year and during the following fiscal year.

3. The duty to defend or indemnify and save harmless prescribed by this resolution shall be conditioned upon (i) delivery to the County Attorney by the employee the original or a copy of any summons, complaint, process, notice, demand or pleading within five days after he is served with such document, and (ii) the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the County based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the County provide for his defense pursuant to this section.

4. The benefits of this resolution shall inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the Workers' Compensation Law.

5. This section shall not in any way affect the obligation of any claimant to give notice to the County under any other provision of law.

6. The provisions of this resolution shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

7. The provisions of this resolution shall apply to all actions and proceedings pending upon the effective date thereof or thereafter instituted.

8. Except as otherwise specifically provided in this section, the provisions of this resolution shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the County or any other level of government, or any right to defense and/or indemnification provided for any governmental officer or employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law, or as provided under the terms of any collective bargaining agreement.

9. If any provision of this resolution or the application thereof to any person or circumstance be held unconstitutional or invalid in whole or in part by any court of competent jurisdiction, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this section or the application of any such provision to any other person or circumstance.

and, be it further

RESOLVED, By this Honorable Body that the defense and indemnification provided herein shall apply to all such actions and proceedings arising from acts or occurrences occurring on or after January 1, 1992, and, be it further

RESOLVED, That the effective date of this resolution shall be the date of its adoption by this body, and, be it further

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

Referred to Law Committee
Adopted by unanimous vote.